

1897-015 Chancery Causes: Adms. of A. J. Lockhart vs Joseph Willis & Lee Co.

Folder 1 of 2

Cox, Williams, Glass, Orr, Richmond, McPherson, Tate,  
Miles, Mursey, Lambert

CA-Debt  
T-Property

-Deed



Virginia,

In the Circuit Court of Lee County.

-----  
To W. T. Miller, Judge of said court:-

-----Humbly complaining, your orators, A. C. Williams and N. S. Cox, administrators of the estate of A. J. Lockhart, deceased would respectfully represent and shew unto your honor that at the Nov. term 1867, of the County Court of said county, one James W. Orr ~~obtaind~~ obtained in said court a judgement against William McPherson, Stokely Lawson, James M. Parsons, Joseph Willis and said A. J. Lockhart for the sum of \$843.93, with interest on \$211.81 from March 15, 1867, and interest on \$349.60 from March 15, 1868, and interest on \$282.52 the residue from March 15th 1869, till paid and the costs \$7.31, subject to the following credits \$10.00 paid June 15, 1869, and \$77.00 October 1st 1869, which judgement was duly docketed in the Clerk's office of the said County Court and indexed as required by law. Ax ( A copy of said judgemnt and docketing is here with filed as part hereof marked " A " and " B " respectively. Upon this judgement a number of executions were issued and finally the last one was returned to <sup>August</sup> ~~February~~ <sup>26th</sup> 1875, satisfied. ( A copy of said ~~execution and~~ return is here-with filed marked " C " as part hereof.) Now, your orators will further represent and shew unto your honor that the said judgement was obtained by said Orr against said William McPherson, on account of his liability as Deputy Sheriff to said Orr as Sheriff of said county, and against the said Stokely Lawson, James M. Parsons, Joseph Willis and Andrew Lockhart as his sureties in his official bond as such deputy to said Orr, Sheriff as aforesaid, and the said William McPherson and ~~James~~ James M. Parsons were totally insolvent, and the said Stokely Lawson and Joseph Willis were likewise insolvent as to personal property, ~~and~~ and the said Lockhart being a man in good circumstances was compelled to



#2

to pay and did pay to said Orr the amount of said judgement. The said Stokely Lawson after payment of said judgement by said Lockhart did settle by compromise his one-third part thereof with said Lockhart, but the ~~xxxxxx~~ said Willis never paid anything on said judgement, and being the owner of several tracts of land on Blackwater in said county at the date of said judgement afterwards, to-wit: on the 10th day of November 1869, and before said judgement was satisfied by said Lockhart executed to William W. <sup>Age</sup> Sge, Trustee, a deed of trust on said lands purporting to secure to A. R. Sergener certain sums in said deed ~~mentioned~~ mentioned, and ~~indemnify~~ ~~indemnify~~ indemnifying the said Sergener ~~against~~ against pretended contingent liabilities mentioned in said deed. ( A copy of said deed of trust is herewith filed as part hereof marked " Deed." The said Andrew Lockhart after satisfying said judgement, ~~xxxx~~ to-wit: on the --day of -----1887--, departed this life intestate, and your orators on the ~~2nd~~ day of September 1889, were appointed and qualified in said County Court as his administrators. ( A copy of said appointment and qualification is filed as part hereof marked " E." -----Now, your orators will further represent and shew unto your honor that the said deed of trust was executed by the said Joseph Willis for the purpose of hindering, delaying and defrauding his creditors, and especially to avoid the payment of any part of said judgement, but your orators were not apprised of said fraud as practiced by said Willis in the execution of said deed, nor of the fact that the said deed had been set aside and held for naught, in an injunction suit instituted in your honor's court by said Willis in March 1886, enjoining the collection of said deed of trust by James W. Orr, administrator of A. R. Sergener, deceased, until within the last few days. Your orators allege that said deed of trust was executed by the said Willis for the fraudulent purpose of avoiding the payment of any



part of said judgemnt, and was virtually declared null and void by decree in said injunction cause Nov. 27th 1886, perpetuating the injunction, which cause is yet on file in your honor's court and is prayed to be considered herewith as part hereof.

-----Now, the object of this suit is to obtain a decree decraring said deed of trust null and void so far as your orators' ~~claim~~ claim is concerned, and subrogating your orators to the lien of said judgemnt against said Willis for one-third of the amount thereof, and subjecting the real estate of said Willis to the payment of his one-third of the amount of said judgement paid by said Lockhart as afore-said; the said William McPherson and James M. Parsons being at the time of the rendition of said judgemnt and ever since until the time of their death, totally insolvent.

-----To this end they make the said Joseph Willis and J. W. Glass, who has purchased from said Willis and claims to own a ~~part~~ portion of said land, the parties defendant to this bill and ask that they be required to answer the same, but not on oath that being waived; that on a hearing the said deed of trust be held for naught so far as your orators claim is concerned, and ~~therefore~~ the real estate of the said Willis sold to pay said one-third of said judgement and the costs of this suit as the same will not rent for a sum sufficient in five years to pay the same. There are no other liens on said real estate. May process issue, directed, etc. And your orators will ever pray, etc.

*Orn & Blaukuship*

*William A. Orn, Jr.*

P. C.



N. S. Coe & A. B. Williams, Admin's &c.

vs. } Bill.

Joseph Willis, et al.

Ordn & Plantership & M. A. Orr  
pg.

1896 2nd May rules bill  
sums 2d & 3d  
" 1st June rules taken  
the last Monday in  
May. See Confd & Case  
Set for hearing  
Mar 7 1897 Contd

Mar 7 1897 Contd  
June 11 " Decree final  
See Order Book  
Page 838

Plaintiffs Costs

Clerk 1.40  
Shff 4.50  
Cock 4.55  
wito 1.00

\$17.95

Defts Costs

Clerk 4.29  
Com in Chy 6.00  
atty 15.00  
J P C 2.25  
Co C 1.25  
Estimate 2.00

\$28.39

Plffs Costs

Clerk 8.21  
Shff 1.40  
atty 1.80  
J P C 4.50  
wito 1.00  
Com in Chy 6.00  
Co Clerk 4.55

\$40.32



Virginia: In the Circuit Court of Lu County  
To the Hon. L. J. Miller, Judge of said Court:  
Your Petitioner W<sup>m</sup> A. Orr, humbly complaining re-  
spectfully represents to the Court, That there is a  
Bill in Chancery now pending in this Court  
wherein N. S. Leoy and A. L. Williams, Administra-  
tors of the estate of A. J. Lockhart, deceased, are  
plaintiffs and Joseph Willis et al are defendants;  
that the object of said suit is to enforce a Judgment  
Lien against Real estate; and, that said bill char-  
ges that there are no other liens against the Re-  
al estate of said Joseph Willis. Your petitioner  
charges that there are other liens against the lands  
of Joseph Willis named in said suit; that your  
Petitioner has a Judgment Lien against the same  
which Judgment was rendered by H. C. Joslyn, J. P.  
for Lu County, Va, on the 25<sup>th</sup> day of July, 1876,  
for the sum of \$5<sup>00</sup>, with legal interest thereon  
from the 30<sup>th</sup> day of March, 1881, and \$1<sup>40</sup>, Costs-  
waiving the Homestead. A copy of which Judgment  
is here filed marked "D" and prayed to be taken  
as part of this petition; that your petitioner gave the  
said Joseph Willis a written notice on the 29<sup>th</sup>  
day of July, 1876, that he would seek to enforce  
the Collection of said Judgment against his  
land unless the same was paid within  
Sixty days which time has long since  
expired; that no part of your petitioner's said  
Judgment has been paid, but the same is  
still owing to your petitioner. Said notice  
is here filed marked "60 days notice".  
There is one other Judgment against said Willis and a  
lien on said land. It is in favor of Winder  
Bledsoe, and for the sum of \$19.25, with legal



N. S. Leary et al., Admin's

vs } Petition of Wm A. Orr

Joseph Willis et al.

Filed in open Court  
I by leave thereof  
the 5th 1896  
A B Murray Clerk

interest thereon from 11th day of October, 1892, till paid  
and \$6.20 costs, leaving the Homestead, and run-  
dred by the County Court of Lee County, Va. on the  
20th day of August, 1896, an Attested Office Copy of  
which is here filed marked "Bledsoe".

Your petitioner prays therefore that the liens against  
the said land of Joseph Willis be ascertained and  
that the same be sold to satisfy all the liens ac-  
cording to their priority. And as no duty bound he  
will ever pray &c., &c. Wm A. Orr, Petitioner.

Virginia, In the Clerk's Office of the Circuit Court of Lee County.  
I, hereby certify that Wm A. Orr appeared before me this  
day in my Office and made oath that the foregoing  
petition is true. This October 10th, 1896.

A B Munsey Clerk



"Bledsoe"

Virginia: At a County Court Continued and held  
for Lee County at the Court house there on Thursday  
August 20th, 1896.

Present the same Honorable Judge as on yesterday,  
Winder Bledsoe Plff

vs

Joseph Willis

Def

For a warrant

A 1.25  
C 3.45  
J 1.00  
J 50  
\$6.20

This day came again the parties by their  
Attorneys, and by agreement of the parties, it  
is considered by the Court that the plaintiff recover  
against the defendant the sum of \$19.25 with  
interest from the 11th day of October, 1892, until  
paid, and his costs here and before the Justice.  
And execution shall issue on this Judgment  
for the period of 60 days.

A copy

Wm. A. T. F. Richmond Clerk



Virginia---Lee County, To-Wit:

To J. B. Shufflebarger, Constable of said County.  
I hereby command you to summon, Joseph Willis

It to be found in your District to appear at Jonesville in  
said county, on the 20<sup>th</sup> day of June 1896 before me or such  
other Justice of said County, as may be there to try this warrant, to answer  
complaint of William A. Orr

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit:  
For the sum of \$ 5<sup>00</sup> due by Note, and then and  
there make return of this warrant.

Given under my hand the 6<sup>th</sup> day of June 1896.

W. C. Foslyn J. P.  
William A. Orr } On the 25<sup>th</sup> day of July 1896.  
Joseph Willis } (In debt) At Jonesville in said County.  
JUDGMENT, That the Plaintiff recover of the Defendant \$ 5<sup>00</sup> with interest thereon from the  
30<sup>th</sup> day of March 1881, till paid, and \$ 1<sup>40</sup> for costs

W. C. Foslyn J. P.  
VIRGINIA—Lee County, To-wit: To J. B. Shufflebarger Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of  
Joseph Willis, in your county, you cause to be made the sum of \$ 5<sup>00</sup>  
with interest thereon from the 30 day of March 1881 till paid, which William  
A. Orr has recovered before me in a  
warrant in debt, and also the sum of \$ 1<sup>40</sup> which were adjudged to the said William  
A. Orr for costs in prosecuting said warrant.

Given under my hand the 25 day of July 1896.  
W. C. Foslyn J. P.

The note upon which the above Judgment  
was rendered waived the Homestead exemption  
This July 25 1896. W. C. Foslyn J. P.



Recd. of W. A. Orr 50 cents my  
Costs in the within case.  
This July 27<sup>th</sup> 1896. H. C. Jordan J. P.

Received of Wm. A. Orr 90¢, my costs in this case  
This July 27<sup>th</sup> 1896.

J. B. Shuffelbarger. Const.

200

summons for Plaintiff  
as witness J. W. Orr

Wm. A. Orr  
vs } Warrant  
Joseph Willis  
Executed this by  
summoning Joseph  
Willis and summoning  
2 witnesses, this the  
15<sup>th</sup> day of June 1896  
J. B. Shuffelbarger C. C.

Certs.	J. P.	50
Constable		90
		<u>140</u>

I certify that I this day  
do certify and indexed  
this judgment in the  
Judgment book docket  
of Lin County, Va. & that  
my fee therefor is 25¢.  
(Vol. 3, p. 128) This July  
27<sup>th</sup> 1896.

J. W. Richmond Clerk

This case is continued until July 20<sup>th</sup>  
1<sup>st</sup> day of Cornish Court. On request of the  
Defendant this June 20<sup>th</sup> 1896.  
This case is continued until Sat-  
urday July 25<sup>th</sup> 1896.  
This July 20<sup>th</sup> 1896. H. C. Jordan J. P.



"60 days notice."

To Joseph Willis:

Whereas, H. C. Joslyn, a Justice of  
the peace of Lee County, Virginia, died on  
the 25th day of July, 1896, under a judgment  
in my favor against you for the sum of  
\$5.00 with legal interest thereon from  
the 30th day of March, 1881, until paid  
and \$1.40 for costs. Now, therefore,  
you will please take notice that unless  
you pay to me the amount of the  
Judgment within sixty days from  
the date of the service of this notice,  
I will file a bill in Chancery against  
you in the Circuit Court of Lee  
County, Virginia, and will pray said  
Court to subject your real estate in  
this County to the payment of said  
judgment, the costs of this notice, and  
the costs of said suit in Chancery.  
This July 25th, 1896.

Wm A. Orr, Jr.

HC

2



Wm A. Orr

vs } 60 days notice

Joseph Willis

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Executed by delivering  
a true copy of the within  
notice. To Joseph Willis  
This July 29<sup>th</sup> 1896

Evon Bledsoe  
DS

for W P Weston  
SSC

1 Shffls for 50¢



To the Hon. W. J. Miller Judge  
of the Circuit Court of Lee Co.

The Defendant answers as  
Joseph Willis to a bill filed in  
this Hon. Court against him & others  
by H. S. Cox & A. C. Williams and  
he &c.

The Respondent says the  
pffs Bill is not good and suf-  
ficient in Law & of this he prays  
Judgment of the Court &c.

But should any other or  
further answer be deemed nec-  
essary, answering he says, that  
he is informed and believes it to  
be true that the pffs intestate  
had placed in his hands Collat-  
erals as securities for said Judg-  
ment, quite a sufficient amount  
by said Wm McPherson, or and  
against one A. R. Surgenor to  
fully pay, and that the same did  
fully pay all of said supposed  
Judgment, in which respondent is  
alleged to be jointly bound, to the  
said intestate, and that said in-  
testate collected from said Surgenor  
and others on said Collaterals a



sum quite sufficient to re-pay and  
disburse him in all or every part  
so paid out by him on said  
Judgement. And so respondent  
denies that the plffs intestate or the  
plffs have or ever had any cause  
of action against him, by reason  
of said Judgement. But if mis-  
taken in this he is informed and  
believes that the plffs intestate had  
a sufficiency of said Collaterals  
to pay said Judgement and that  
he compromised & released said  
Creditors in said Collaterals from  
a sufficient amount to pay the  
same, that he did this without the  
said Mr Phersons Consent or the con-  
sent or knowledge of this respondent.  
Respondent denies that he ever  
conveyed his land to A.R. Sur-  
germer or any one else in fraud  
or to hinder delay or defraud the  
plffs intestate the plffs or any  
one else, he has had ample  
land & property at any and  
all times to pay not only  
this claim but any just-claims



against him, and the plffs allegation  
of fraud and its recent discovery  
is no doubt the invention of some  
lawyer to endeavor to hedge  
around a ~~demanded~~ state of case  
plainly against the plffs. This re-  
spondent is advised that the  
demand of the plffs is barred by  
the statute of limitations the pro-  
tection of which he here claims  
and demands. And that if not  
so barred the demand is stale and not  
enforceable in a court of equity, the  
plffs being guilty of gross negligence  
in waiting until all the parties who  
could explain this matter are dead  
and all trace of the matter lost.

This respondent denies each & every  
allegation of the plffs bill not here-  
in admitted, and calls upon them  
for full proof thereof. And having  
now fully answered he prays to  
be hence dismissed with his  
costs.

Prudence H. H. H.



Joseph Willis-

Advs & Answer

A.S. Cox & A.C. Williams  
(adm)

Filed in open Court  
and by leave thereof  
June the 3rd 1896  
A.B. Muncy Clerk

J. W. Adams



A.C.  
T.S. Leavitt, Williams & Sons of Syracuse  
Against - Lockhart & Co.  
Joseph Willis -

This cause came on this day to be heard upon the Bill of the plff. and exhibit filed, the answer of the defendant & replication thereto; and the depositions of witnesses and exhibit therewith and was argued by Counsel.

On Consideration whereof and for reasons appearing to the Court, the Judgment sought to be enforced by the plffs Bill, is in the opinion of the Court barred by the Statute of Limitations - It is therefore adjudged ordered and decreed that the plffs Bill be & the same is hereby dismissed; and that the defendant recover from the plaintiff their costs in this Suit - And by Consent of the parties Wm A. Orr Sen Treas



leave to withdraw his claim  
and the plaintiff by Counsel ad-  
mits that the ~~plaintiff~~ said one  
is entitled to recover the amount  
of the balance of his claim  
and the cost, he has incurred  
in his prosecution here - and  
the cause is stricken from the  
docket.

Leah Williams  
decedent

2 } Decedent

Heir at Law

Joseph Williams

June 7, 1897

See 2073 Cps. 847.

Enter this  
June 14, 1897  
M. J. M.



A. C. Williams and N. S. Cox, Admin's of A. J. Lockhart, dec'd  
vs J. Secum  
Joseph Willis et al

This case came on to be heard upon Exceptions to the deposition of J. V. F. Richmond, Clerk, filed on the 27<sup>th</sup> day of February, 1897, and was argued by counsel; Upon consideration of which, and the counsel, A. L. Bidmon, for the J. V. F. Willis having withdrawn his exception to said deposition for want of notice, <sup>but the questions upon the other exceptions are passed</sup> the Cause is continued.



Geo & Williams Admrs

vsy Luen

Joseph Willis et al

Eu. C. O. B. p. 538.

(2)

Entw

W. L. M.

Mich 5<sup>th</sup> 1897.



N. S. Co. & A. C. Williams

Admrs of A. J. Lockhart, dec'd

vs

J. Deere

Joseph Willis & J. W. Glass

This cause came on this day to be heard upon the bill, exhibits filed therewith, process executed, and the demurrer and answer of Joseph Willis, the joinder in said demurrer, and the general replication to the answer of said Joseph Willis, and was argued by Counsel: On consideration of which and for reasons appearing to the Court the Cause is continued.



N. S. Cox et al Admin<sup>rs</sup> &c

vs Decm No. 1 :

Joseph Willis et al

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Q. B. P. 414

Enter

June 4<sup>th</sup> 1896

M J M



N. S. Cox and A. C. Williams, Adm'r's of Andrew Lockhart, Dece'd.

Against ( In Chancery. ( Depositions of Defendant.)

Joseph Willis, Defendant.

-----  
-----The deposition of Joseph Willis and S. V. F. Richmond, taken by agreement before H. C. Joslyn, J. P., at the office of Orr & Blankenship, Jonesville, Lee County, Virginia, on the 15th day of October 1896. Present: W. A. Orr and G. W. Blankenship, of counsel for plaintiffs, and Joseph Willis, Defendant, and A. L. Pridemore, counsel for Defendant.

-----Joseph Willis, a witness of lawful age being duly sworn deposes and says:

The taking of this deposition is objected to--because the witness is a party to this suit, and because a party to the original contract, Andrew Lockhart being dead.---W. A. Orr, Sr., and G. W. B., of counsel for plaintiffs.

Ques. 1. State if you are the defendant in this cause, and if you answer yes, state whether or not the Sheriff of this county ever presented an execution to you and demanded property thereon. I mean an execution issued on the judge <sup>ment</sup> ~~case~~ in this suit.

Objected to because irrelevant and immaterial--Orr & Blankenship, of counsel for plaintiffs.

Answer. The Sheriff never presented an execution to me.

Ques. State whether or not if he had presented it you had personal property for the last twenty years out of which amount of \$250.00 or ~~\$300.00~~ <sup>the</sup> \$300.00 could have been made ?

Objected to because irrelevant and immaterial-- Orr & Blankenship, of counsel for plaintiffs.

Answer. Yes, Sir, I have had property all the time. For several years I was the owner of and run a large distillery. I raised on my farm four and five hundred bushels of corn, and I have ~~xx~~ each year of my ~~xx~~ life during the past twenty years more hogs, shee~~p~~, cattle and horses that I was entitled to hold by law.

Ques. State whether or not the plaintiffs in this suit, N. S. Cox and



XXXXXXXXXXXXXXXXXXXXXjudgement XX

Objected to because irrelevant and immaterial--Orr & Blankenship,  
of counsel for defendant.\*

ques. Please state whether or not within the last twenty or twenty-five years you have owned and had good title to any lands in this ~~same~~ county, other than those conveyed by deed of trust to W. W. Sage, trustee, securing A. R. Sergener, in certain sums of money shown by said deed ? If you answer yes, state where said lands were situated and about their value ?

acknowledges  
~~I received the 6~~



(3)

since I have been relieved of the payment thereof I continued all the time in the possession of the said land and paid taxes on the same.

X-Examination.

Ques. 1. Was the deed from Walter P. Hamilton, ~~and~~ Alexander Hamilton ~~xxxxxx~~ and Mary Hamilton dated February 13, 1871, recorded in the Clerk's office of the County Court of Lee County, Virginia, prior to Sept. 21, 1874, the day when the deed from you to James M. Stamper was recorded for the same land?

Objected to because the records are the highest and best evidence and shows for itself---Pridemore & Seweell, for Deft.

Answer. I can't tell that as I can not neither read or write. I only know what I have been told. I have referred to these deeds in the former part of this deposition, and have given the dates there as I am ~~told~~ told they stand upon the record.

Ques. 2. Did you have any of the deeds recorded in said Clerk's office to you for any of the tracts of land which you say you bought and sold prior to the time when you did sell, and if so, which one?

Objected to because the records are the highest and best evidence, and because the witness has stated he can neither read or write and so can not possibly answer the question--Pridemore & Sewell, for Deft.

Answer. I brought them here to be recorded but can not answer whether they were or not as I can neither read or write.

Ques. 3. From whom did you purchase said tracts of land so bought and sold by you, and how many acres are there in each tract, and please ~~give~~ give the location of each tract?

Answer. I bought fifty acres from a fellow by the name of Isaac Bledsoe and then I bought as well as I recollect from Elias Bledsoe one hundred or one hundred and five acres, I think I then bought as well as I recollect another tract from Wynright Lawson containing 78 or 79 acres, then I turns in and buys out a whole lot of heirs of Sampson Bledsoe's estate and dower of his widow. I think I bought out all the heirs of Sampson Bledsoe out, then I bought 35 acres of G. B. Wallen, this has not been very long back, 5 or 6 years or so, I purchased this land a few years before I got a deed. This si all that I remember of ~~n~~ now.



(4)

Ques. 4. How much of this land did you so sell and to whom ?

Answer. I sold some of it to Wesley Glass, do not remember the amount and it was not measured; I do not remember of selling any to any one else.

Ques. 5. Did you make Mr. Glass a deed to this land ?

Answer. I have to a part of it and a part of it I have not.

Ques. 6. Does Mr. Glass hold a title bond ~~to~~ from you requiring ~~him~~ you to convey this land to him ?

Answer. I sold him some for which he does not hold a title bond for or any other paper.

Ques. 7. From whom did you get the land embraced in the deed of trust executed to W. W. Sage, trustee, for the benefit of A. R. Sergener ?

Answer. I do not know who I got it of; it is a part of several parcels. I think a part of it is a part of the 79 acres spoken of.

Ques. 8. Did you get any of it from any other person or persons than the ones heretofore named by you ?

Answer. I recon not, Sir.

Re-Examined in Chief.

Ques. 1. What is a fair cash value of the lands conveyed to Sage as trustee sold on a credit of say one and two years ?

~~Answer.~~ Objected to because evidence in chief---Orr & Blankenship, of counsel for plaintiffs.

Answer. I hardly know what it would be worth, but merely giving my estimate would say \$1000.00.

Ques. 2. What is the fair cash valuation on the same terms of the land the you now own and which you have not sold to Wesley Glass or any ~~other~~ other person?

~~Answer.~~ Objected to because evidence in chief---Orr & Blankenship, of counsel for plaintiffs.

Answer. I would say <sup>two</sup> ~~one~~ thousand dollars.

And further this deponent saith not.

*Joseph H. Willis*  
*Mark*

The further taking of depositions in this case is continued until Saturday, October 17, 1896, at the same place between the hours of 8 A. M.



and 4 P.M.

This Oct 15<sup>th</sup> 1896. H. C. Joslyn, J. P.

Virginia Lee County To-wit:  
I Henry C. Joslyn, a Justice of the  
Peace for the said County, do hereby  
certify that the foregoing deposition  
of Joseph Willis, was duly taken,  
sworn to and subscribed, before me  
at the time and place mentioned in  
in the caption of the same.

Witness under my hand this the  
15<sup>th</sup> day of October 1896.

H. C. Joslyn J. P.



Thomas McPherson, a witness of lawful age being duly sworn deposes as follows:-

Ques. 1. State whether or not you are acquainted with Joseph Willis, and how long have you known him?

Ans. I am and have known him since about 1862. Have been well acquainted with him ever since the war.

Ques. 2. State whether or not you are acquainted with the personal property holdings of the said Willis during this time, and if you answer yes, state whether or not that he did not have more or less personal property all these years?

Ans. I am tolerably well acquainted with his personal property and have been ever since the war. He has had more or less all the while. About 15 year ago I bought some grain ~~xxxxxx~~ of him, and he had a good many hogs. I am more particularly acquainted with his grain and hogs.

Ques. 3. Is it not a fact that there was no time that a small debt could have been out of Mr. Willis, and much of the time considerable debts could have been made out of him?

~~ANxxxx~~ Objected to because leading--Orr, for Plaintiffs.

Ans. In the fall season I consider there was no year except what a small debt could have been made out of him, and some years larger ones. In the fall season he has always had from 300 to 600 bushels of corn. He always had a good lot of hogs, and a lot of horses, more or less.

Ques. 4. State whether or not Mr. Willis ever run a distillery during these years, and if so, how long ago, and if you answer yes, state whether or not he did not have considerable personal property?

Ans. He did run a distillery some 18 or 20 years ago, and had a ~~xxxxxx~~ good many hogs during that time, and other personal property, he always ~~xxx~~ kept more or less horses, I do not know the number. I paid more attention to his grain as I bought it from him every year, most every year.

#### Cross-Examined:

Ques. 1. Where was his distillery situated?

Ans. There on his farm, South of his house, upon a sort of a cliff.

Ques. 2. Was it a licensed distillery, or an illicit one?

~~ANxxx~~

Objected to because immaterial--Sewell, for Deft.

Ans. It was not licensed, but an illicit one.

Ques. 2. During what years did Mr. Willis have the hogs and horses about which you speak?

Ans. The hogs I have most reference to was from the time of his distilling up to about ten years ago; the horses was all along, but I do not rememebr the number, he has but one now. I ahve seen him have as ~~hi~~ high as two or three and some times 4, ~~xxxxxx~~ and I grumbled at him for keeping so many horses and feeding his grain out to ~~him~~ them.

~~Qxxxx.~~ Objected to-- what the witness should have said to Willis about keeping the horses as not responsive to question and inadmissible.

Orr, for Plaintiffs.

Ques. 3. Do you know whether or not the property you have spoken of be-



longed to the Defendant, or some of his family, or to some one else, and was only in his care ?

Ans. I know the fact that it was his property, and I have suggested to him sometimes when he was pressed with debts to take advantage of the law and he always said no, he would not do that, that what he had was liable for his debts, and that he would not take ~~no~~ advantage of any exemption law, and I never knew of his shifting any property ~~except~~ ~~xxxxxx~~ but he did tell me that he gave a deed of trust to Abe Sergener on his land, where he lives.

Ques. 4. How far did you live from the defendant during all these years since the war ?

Ans. I have lived in as close as five miles except two years when I lived in Scott County, and I was then in about fourteen miles of him, I have lived ~~xxx~~ as near as ~~xxx~~ two miles of him, and did for ten or fifteen year.

Ques. 5. How much corn do you say Mr. Willis now has, and where is it located ?

~~ANEX~~ Objected to because immaterial--Seweell, for Deft.

Ans. I never examined his corn close, but he has some 100 to 150 bushels of corn in his crib, and he told me he had 50 bushels in his loft.

Ques. 6. How do you know that this property belongs to Mr. Willis ?

Ans. I do not know it to be a fact, but I never heard any one else claiming it.

Ques. 7. Did you hear him claim it, if so, when and where ?

Ans. I heard him claim <sup>it</sup> and within the last four or five days at my house.

Ques. 8. When did you see said corn.

Ans. Last night and this morning. I stayed at his house last night.

Re-Examined.

Ques. 1. State whether or not he did not run his distillery publically and was it not at a time when distilleries were very frequent in this country ?

Ans. He did run it publically, and they were frequent in this country at that time.

Re-Cross-Examined.

Ques. 2. Did the people of that neighborhood, and espacially did Mr. Willis, run illicit distilleries in open violation of law ?

Ans. He did not that I know of. We knew nothing of the Internal Revenue laws in that neighborhood at that time.

Ques. 2. Do you mean to say that the people of that country and espacially Mr. Willis, did not know that it was a violation of state and National Law during all the time of which you speak, to make and sell ardent spirits illicitly?

Ans. There was nothing said about the Revenue laws at that time. Soon as the officers began to come around he quit, or as soon as it was known to be a violation of the law. And he has not run one since that I know of. ~~AN~~ And further this deponent saith not.

Witness claims  
1 day 50 cts.

Thos. McPherson



Virginia Lee County To-wit:

I, Henry C. Joslyn, a Justice of the Peace  
for the said County, do hereby Certify, that  
the foregoing deposition of Thomas  
McPherson, was duly taken. Sworn to  
and subscribed before me at the office  
of our & Blokeship, in Jonesville Va  
on this 23<sup>d</sup> day of February 1897.  
Is given under my hand this 23<sup>d</sup> day  
of February 1897. H. C. Joslyn J. P.

N. S. Cox & A. C. William  
Adams of A. Lockhart  
vs. J. B. Cher.  
Joseph Willis

The depositions of  
Joseph Willis &  
Thomas McPherson

Received from H. C. Joslyn  
the J. P. before whom taken  
and filed February 24<sup>th</sup>  
1897. A. B. Munsey Clerk

By to before

J. P. Fee  
Witness  
\$1.50  
.50



1 The depositions of John W. McPherson  
2 & others taken before me J. B. Munsey  
3 at the law office of Pridemore & Jewell Jonesville Va  
4 a Commissioner in Chancery for the Circuit Court Lee County  
5 furnished to notice but, on the 28th day of May 1897  
6 be read as evidence in the Chancery  
7 Cause of Cox & Williams adverse against  
8 Joseph Willis et al on behalf of the  
9 defendant pending in the Circuit  
10 Court of Lee County Virginia;

11 Present. J. C. Sewell for Defth &  
12 Orr & Blankenship for Plff.  
13 John McPherson a witness of lawful  
14 age after being duly sworn deposes and  
15 Says.

16 Q. Are you a son of the late William  
17 McPherson.

18 The taking of these depositions is excepted to  
19 unless in rebuttal of the plaintiffs relating  
20 testimony. The plaintiffs and defendants having  
21 taken and closed in chief.

22 Orr & Blankenship for Plffs.  
23 Q. As the above objection is not  
24 well taken the defendant  
25 has never closed & never had  
26 an opportunity to the plff  
27 take depositions the Saturday  
28 before last Court? 2

29 Pridemore & Sewell  
30 Ans. I am.  
31 Ques. Please state whether or not you  
32 have any knowledge of William McPherson



1 in his lifetime turning over any notes  
2 orders, accounts, Tax tickets or the like  
3 to the late Andrew Lockhart in his life  
4 time. to be applied by the said Lock-  
5 hart in discharge of a liability that  
6 he Joseph Willis, Stokely Lawson and  
7 James M Parsons were under by rea-  
8 son of their Suretyship of the said  
9 McPherson as Deputy Sheriff of James  
10 M Orr late Sheriff of Lee County?  
11 if you answer you please state all  
12 you know about it.

13 Ans. yes Sir I know of an order  
14 that he gave him on A. R. Surgenes  
15 My recollection is that the order amounted  
16 to \$300.00. As to the Tax tickets I know  
17 nothing about. <sup>about</sup> Only what my father  
18 told me. he told me that he turned  
19 over some Tax tickets. I do not remem-  
20 ber what he said about the amount.  
21 This answer is further excepted to as to the  
22 hear say.

23 Q. ~~Mr. State~~

Ans. ~~Mr. State~~

24 State whether or not you know if  
25 said order was accepted and paid and  
26 whether or not you ever heard Andrew  
27 Lockhart say anything about it.

28 Ans. That was my understanding that  
29 it was accepted and settled. I under-  
30 stood from Mr Lockhart that the order  
31 was accepted when presented. There was  
32 a suit between Lockhart & Surgenes in



1 about the order. Surgen accepted the  
2 order in my fathers lifetime and the  
3 suit was brought after his death on  
4 the order.

5 This answer is further excepted to, <sup>as inadmissible</sup> because  
6 it develops that suit was brought on the  
7 order, and the record of the suit is the best  
8 evidence.

9 Dr. + Blankenhip for Opps.  
10 Ques. State whether or not you were fa-  
11 miliar with your fathers business, and  
12 often talked to him in regard to it about  
13 the time this transaction occurred, and  
14 if you cannot state the exact amount of  
15 tax tickets or orders that you understood  
16 to be turned over by your father, state  
17 your best impression of the amount.  
18 Ans. I was, and often talked to him  
19 about it, why I did so we were fix-  
20 ing to move to Ky. my father and I,  
21 and I told my father he had better fix  
22 up this matter or Lockhart would at-  
23 tack on ~~the~~ what he had, and he said  
24 he was going to fix the matter up as  
25 that was all that was bothering him,  
26 he turned over as I understood ~~to some~~  
27 tax tickets and perhaps some other effects  
28 sufficient to satisfy Lockhart, as my  
29 father informed me. I was not present  
30 but know that they met to settle, he  
31 moved to Ky and no attachment  
32 proceedings were taken against him



1 This answer is further excepted to as inad-  
2 missable as to what Mr Melherson said  
3 and the evidence of this witness is excepted  
4 to as incompetent, Andrew Lockhart being  
5 dead. Orr & Blankenship for Defts.  
6

7 Examined

8 Ques 1 Was the Judgment in favor of James W Orr  
9 late Sheriff before or after your father  
10 moved to Ky.

11 Ans I Cannot state, remember whether it was  
12 before or afterwards, but my impress-  
13 ion is that it was afterwards, it seems  
14 to me that Lockhart was trying to get  
15 the means in hands so as to settle the  
16 matter without the Costs of a suit. We  
17 remained in Ky a little over a year  
18 and returned, and my father died in  
19 a short time after we returned.

20 Ques 2 Do you know who paid the two credits men-  
21 tioned in said Judgment. one of \$1000 June  
22 15th 1869, and the other \$7700 Oct 1st 1869.

23 Ans I do not.

24 Ques 3 Were you present when you say the tax tickets  
25 were turned over?

26 Ans No I was not present, My father stopped with  
27 Mr Lockhart and we drove on, and when he  
28 came up he told me about it, That is the  
29 tax tickets, the order had been accepted some  
30 time before as Mr Lockhart told me.  
31  
32



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Ques 4.1 Do you remember whether Mr Sargener accepted  
the order you refer to conditionally or unconditionally.

Ans 3 Mr Lockhart just said he wrote on the order  
accepted.

Ques 5.5 Who administered on your father's estate.

Ans 6 I think Thos McPherson, my brother, and not Justice.

Ques 7 Were there any receipts found among his papers  
for the tax tickets &c, you say he said he turned  
over to Lockhart.

Ans 10 None that I know of.

Ques 7.1 Do you not know the fact that your father  
turned over to James W Orr, Shff, his uncollected  
tax tickets about the time he and his sureties  
were motioned by Orr & got credit for them?

Ans 15 I don't know anything about that.

Ques 8 How old were you when your father moved  
to Ky.

Ans 18 I am going on 51 years old and it was has  
been about 28 years, so I was about 23.

- Re-Ex inq -

1 Quest Please state if you know  
whether or not your father shortly  
before he met with Lockhart to  
settle had any ~~tax~~ tax tickets  
& whether or not you ever saw  
him <sup>(your father)</sup> with any after that time?  
He did have ~~any~~ tax tickets <sup>that</sup> he  
was going to leave in Lockhart's  
hands & I never saw him have  
any after they met. He told  
me that he was going to turn  
them over to Lockhart. I don't know



1 just how long it was before the time  
2 that ~~they~~ ~~with~~ ~~that~~ he hid them.

3 State whether or not your father  
4 was Deputy Sheriff at that time  
5 & as such collecting taxes.

6 Ans. Yes.

7 And further this deponent saith Not.

8 John W. McFarlane

9  
10 Joseph Willis another witness of lawful age and  
11 being duly sworn deposes and says.

12 The evidence of this witness, for any purpose,  
13 is again excepted to because he is incompetent,  
14 Andrew Lockhart, the other party to the original  
15 transaction being dead, and is further excepted  
16 to unless in rebuttal of plaintiffs rebutting evidence.

17 On Blankenship for Aff.

18 This objection is not well  
19 taken Hon. J. W. Orr deposition  
20 has been taken by the self  
21 which renders Willis competent  
22 as he is also a party to the  
23 transaction, the subject of the  
24 investigation. This renders  
25 Willis competent.

26 Preliminary Issues

27 We hand you the several Executions  
28 filed with J. V. R. Richards deposition,

29 <sup>marked 1 to 10</sup> please look at them & say if you  
30 know which are paid & which once.

31 Besides the credits I have paid \$10<sup>00</sup> on

32 the two 1 or 6. I ~~don't~~ <sup>we</sup> remember about



that is No 2 & 3.

1 that. If I owe any ~~thing~~ on it I  
2 don't know it. No 5 I have paid  
3 in full & have a receipt for it. No  
4 4 I don't remember about. No 10  
5 I have paid to Brucier. No 7 is  
6 subject to a credit of \$70 for a mare.

Quest 2 Can you state why these several  
8 executions were returned No  
9 property, was it because you  
10 had no property?

11 I do not know why they  
12 were so returned & they were  
13 returned ~~without~~ without my knowing  
14 it. ~~I always thought~~ I generally  
15 had property above exemptions.

16 With the petition of H. A. Orr there  
17 is filed two judgements, one H. A.  
18 Orr against you & the other of  
19 Winder Bledsoe, if there are paid  
20 or any part thereof state what?  
21 I have paid \$13<sup>00</sup> on the H. A.  
22 Orr judgement & he was to wait  
23 on me till June cash for the  
24 balance about \$3<sup>00</sup> as it was  
25 calculated. On the Bledsoe judgement  
26 I have paid \$17<sup>00</sup> on it myself  
27 & as I understood it Mr. Blountship  
28 was to take from Bledsoe for the  
29 balance.

30  
31 State whether or not you  
32 knew of Andrew Lockhart in his



1 life time Collecting any tax  
2 tickets?

3 I do know of his collecting  
4 them. I paid him my taxes.

5 Do you ~~now~~ know <sup>when</sup> or remember  
6 about the time Mr. William McPherson  
7 son died moved to Kentucky?

8 I cannot remember the date,  
9 but I remember his going.

10 Was it about that time  
11 you paid taxes to Andrew  
12 Lockhart?

13 I think it was after he  
14 moved to Ky.

15 How long afterward?

16 I don't remember the time, but  
17 it was not very long afterward.

18 I know of his collecting from others, and I know of  
19 McPherson letting him have debts on persons and  
20 his collecting them. One was on James Lambert  
21 and he told me Lambert paid it in corn, mostly,  
22 and one on Ira G. Sprinkle and Lockhart told me  
23 he thought he had it in shape and that Hurst was  
24 going to pay it.

25  
26 The answers of the witness are further ex-  
27 cepted to as to his statements about his paying  
28 the debts in his answer mentioned, because  
29 irrelevant and immaterial

30 On Blackenship for Off.

31 + Exm'd.

32 When did you pay the \$40.00 on the Richmond



1 debt.

Ans. 2 I expect 2 or 3 years ago.

Ques. 3 When did you pay the Carr Bailey debt.

Ans. 4 About 2 years ago.

Ques. 5 When did you pay the amount to Mr A Orr.

Ans. 6 The first a month or so ago & the last a week or few days ago.

Ques. 7 When the <sup>debt</sup> ~~Winder~~ Bledsae debt.

Ans. 8 Some two Mos ago.

Ques. 9 What years taxes did you pay to Lockhart.

Ans. 10 I don't remember the year, but it was awhile after Mr McPherson moved to Ky. <sup>paid taxes to</sup> Lockhart

Ques. 11 Do you know whether or not Mr McPherson had dealings with each other, about other matters than the matter about which you have spoken?

Ans. 12 If they did I did not know it.

13 Re examined.

14 I now hand you what purports to be a copy of a note executed by you to S. L. Pridemore April 24th 1887, for \$431.24 will you please file the same with your deposition marked "Willis".

15 This question is further excepted to as irrelevant and immaterial.

16 On & Blaukenship for Off.

Ans. 17 I here file the said copy of the Pridemore note, marked "Willis".

Ques. 18 Were Executions out against you for collection of the Mr A Orr Winder Bledsae debts when you made the payments you state on them.

Ans. 19 I think there was, as I made some of the payments to the officers.



1 And further this deponent saith nat.  
2 And further this deponent saith not.

3 Joseph <sup>hus</sup> Willis  
4 <sup>mark</sup>

5 The further taking of these depositions is  
6 adjourned until Monday the 31st day of  
7 May 1897 at the place. Given under  
8 my hand this the 28th day of May 1897

9 A. B. Munsey Commr in  
10 Chancery

11 Met pursuant to adjournment  
12 at same place. This May 31st 1897.

13 Present D. C. Sewell for Defth  
14 Jas H. Orr for Plffs.

15  
16 Thos McPherson another witness of  
17 lawful age being duly sworn &  
18 sworn.

19 Ques 1. Are you a son of the late Wm  
20 McPherson.

21 The retaking of the deposition of this witness  
22 is excepted to, unless in rebuttal of plaintiffs  
23 rebutting evidence, and for any purpose because  
24 ~~Andrew Lockhart is dead.~~

25 Mr Blaukenship, for Plffs.

26 Ans I am.

27 Please state if you have any knowledge  
28 of William McPherson in his life time  
29 turning over any notes, orders, accounts  
30 tax tickets or the like to the late Andrew  
31 Lockhart in his life time to be applied  
32 by the said Lockhart in discharge of



1 a liability that he, Joseph Willis, Stolley  
2 Lawson & James Parsons were under  
3 by reason of their suretyship of the said  
4 McPherson as deputy sheriff of Jas  
5 H. Orr late Sheriff of Lee County,  
6 if so, please state all you know  
7 about it?

8 All I know about that is what  
9 Lockhart & my father told me.  
10 Lockhart & father both told me that  
11 father turned over <sup>to Lockhart</sup> enough to make  
12 him safe as his surety to ~~McPherson~~  
13 ~~Orr~~ as deputy to Judge Orr.  
14 Lockhart in a conversation with me  
15 spoke of an order to A. R. Surgenor  
16 a note on Lumberk, some tax  
17 tickets. He said the Surgenor order  
18 was for \$300<sup>00</sup> & I don't know  
19 the amount of the Lumberk debt,  
20 but it seems to me it was for  
21 \$60<sup>00</sup>. He did not say what amount  
22 of tax tickets, but that there was  
23 several tax tickets & debts turned  
24 over to him. Lockhart said that  
25 father had turned over enough  
26 to make him safe, but that  
27 he was afraid that some of  
28 them could not be collected &  
29 mentioned the Lumberk one as one  
30 he was afraid he could not  
31 collect.  
32 Do you know whether the



1 The foregoing answer of the witness is further  
2 excepted to as to what Mr. McPherson said.

3 Over Blackenship for Affs.

4 Ques

5 State whether or not you know if  
6 said order was accepted & paid &  
7 whether or not you ever heard Andrew  
8 Lockhart say any thing about it.

9 I state if you know whether the  
10 note on Lumberk was paid or not.

11 Ans

12 I heard Lockhart say that he had  
13 the order but I never heard him  
14 say whether it was accepted or  
15 not. I never heard anything to the  
16 contrary. I don't know of my  
17 own knowledge whether the Lumberk  
18 A/bk was paid or not. Jim Lumberk  
19 said it was paid in coin.

20 This answer is further excepted to as to hearsay  
21 by Jim Lumberk.

Over Blackenship for Affs.

22 + Examined.

23 Ques

24 Do you know by whom, or how, the two credits  
25 in the judgment were paid, one for \$10.00 June  
26 15th 1869 and the other for \$77.00 Oct 7th 1869.

27 Ans

28 I do not.

29 Ques

30 Did Mr Lockhart & A. R. Surgenor have a suit  
31 about the order, in the Circuit Court of this County.

32 Ans

It strikes me they did have some trouble  
about the order, but whether they had a suit  
or not I do not know.

Re - Exam

Who qualified as your father's adviser?



Ans. I did.

Please state whether or not  
any notes, debts accounts or tax  
tickets were returned to you  
by Lockhart & his representatives  
or if know of any being so  
returned to your father in his  
life time.

Ans. There was none returned to me  
& I found none in my fathers  
papers. I know of none being  
returned to my father in his  
life time.

Re Exh. 100.

Ques. Did you find any receipts among your  
fathers papers for tax tickets, orders &c turned  
over by him to Mr Lockhart.

Ans. I did not.

And further this witness saith not.

Shos. McPherson

The further taking of these depositions  
is adjourned until Wednesday the  
2<sup>d</sup> day of June 1897 at same place.

A. B. Munsey Court in Chy

Met pursuant to adjournment June the 2<sup>nd</sup>  
1897. A. B. Munsey Court in Chy

John M. Tate another witness of lawful  
age being duly sworn deposes and says  
Ques. by Defendant. Please state anything you



1 may know about any Claims or Tax  
2 tickets placed in the hands of Andrew  
3 Lockhart by William McPherson to pay and  
4 Satisfy a debt or judgment which James  
5 Mc Orr held against said William McPherson  
6 and for which said Lockhart and Joseph  
7 Willis and others were security. State any  
8 thing you may know or anything you  
9 have heard said Lockhart say about  
10 it?

11 Ans. by witness - I can state as to  
12 what kind of claims; But about the time  
13 myself and A. R. Surgenus had a suit  
14 pending in the circuit court of this county  
15 vs Mr Andrew Lockhart had one pending  
16 at the same time in one of the courts  
17 of Lee co. Va or at least he said so, and  
18 as well as I recollect now, it was as he  
19 said a debt from William McPherson.  
20 and said Surgenus was a pretty hard  
21 one. He also stated I think at the same  
22 time or at some time during the pending  
23 of my suit. That William McPherson  
24 had fell behind as an officer, and  
25 that he was one of the securities, I can't  
26 mind just who the others were except  
27 Joseph Willis. He said to me that said  
28 McPherson had placed in his hands  
29 some debts to make him Harbors or se-  
30 cure, but that he feared he would have  
31 trouble with them and not collect them  
32 and I think as my mind serves me



1 now that the surger's debt was one  
2 of them as to the debts I came stating  
3 what they were.

Witness

Claim 82

4 And for the more this deponent  
5 saith not.

Evans Bledsoe

Claims 507

Geo. M. Tate

6 The further taking of these depositions  
7 is adjourned until tomorrow the 3rd day  
8 June 1897, at the same place.

9 A. B. Munsey Court in Chy

10 The purpose to adjournment &  
11 no virtues appearing the further  
12 taking of these depositions is  
13 closed. This June 3<sup>rd</sup> 1897.

14 Virginia Lee County to wit;

15 J. A. B. Munsey, Court in Chy  
16  
17  
18

19 do certify that the foregoing deposition  
20 Geo M. Tate Joseph Willis, Thos W. Phipps  
21 son & John H. McPherson were  
22 duly taken, subscribed & sworn to  
23 before me at the time in the  
24 caption & adjournment mentioned &  
25 for the purpose stated. Given  
26 under my hand this June 3<sup>rd</sup>  
27 1897

28 A. B. Munsey Court  
29 in Chancery  
30  
31  
32



Cox & Williams Admors

vs } Depts of Deft

32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

Jos Wilmot et al

Taken before me as Court  
in Chancery and filed  
June 3rd 1897

A B Munnery Clerk

Court in Chy & heard 75  
\$600



$$\begin{array}{r} 409 \\ 18 \overline{) 650} \\ \underline{600} \phantom{0} \\ 50 \phantom{0} \\ 36 \phantom{0} \\ \underline{140} \phantom{0} \\ 126 \phantom{0} \\ \underline{140} \phantom{0} \\ 14 \phantom{0} \end{array}$$

France Miles being Swords says.  
Ques. 1. Please state whether or not you are acquainted with  
Joseph Willis, if you answer yes state how long?

~~Francis Miles, being sworn deposes and says~~



Ques.3. Is it not a fact that Mr .Willis during nearly all that time had deeds of trust resting upon his land?

Objec. The forgoing question is objected to, the records are the highest and best evidence.

Ans. I never saw any thing of the kind, but I have heard him say so, I heard him say that A.R.Surgener had a deed of trust, and I heard Mr.Surgener say so.

Ques. 4. Did you ever hear Mr.Willis say for what purpose or how he came to execute the deed of trust to Surgener?

Ans. I never did, as I think.

Ques. 5. Did you ever hear Mr.Willis say any thing about intending to avoid the payment of a part of the J.W.Orr judgement?

Ans. I do not think I ever heard him say any thing about it.

Ques. I now hand you a certified copy of the deed of trust executed by Joseph Willis to C.V.Young trustee, please file the same with your deposition as part thereof.

Ans. I here file the said copy as requested.

And further this witness saith not.

Amelia Miles

Witness claims  
1 Day - 50<sup>cts</sup>



Jos. Willis et al

adrs } Depo. of  
Francis Miles

Geo. Williams, Adminr &c

Drafts Depos  
75-00



-----The depositions of A. B. Munsey and

James W Orr

taken before

me, H. C. Jaslyn a Justice of Lee County Va.

by agreement at the Office of Orr & Blankenship in the town of Jonesville, Lee County, Virginia, on this the 3rd day of June 1897, to be read as evidence on behalf of the Plaintiffs in the Chancery cause of Cox & Williams, Administrators, etc., of the estate of A. J. Lockhart, deceased, against Joseph Willis et als., pending in the Circuit Court of Lee County, Virginia.

Present: Orr & Blankenship and Wm. A. Orr., Sr., counsel for plaintiffs<sup>4's</sup> and D. C. Sewell, of counsel for Defendants.

-----James W. Orr, a witness of lawful age being duly sworn deposes as follows:

Ques. 1. Have you heretofore given a deposition in this case ?

Ans. I have.

Ques. Did you then have before you the notice of motion for the ~~judgment~~ judgement which you obtained against William McPherson and his ~~securities~~ securities----the judgement referred to in this cause ?

Ans.-----I did not, I had searched for it in the County Court Clerk's Office, but could not then find it, but since that time have searched the office again and found it on last Monday.

Ques. 3. Did you have the Clerk of the County Court of this county to make search in his office for said notice prior to the date of your former deposition, and if so, what was the result of his search ?

Ans.---~~Yes~~ I did have him to search and he searched some in my ~~presence~~ presence and said he could not find the papers, and I at the same time searched also.

Ques. 6. I now ask you to file with your next answer an attested office copy of said notice of motion together with the return thereon, acceptance of service and Clerk's endorsements thereon ?

Objected to because if evidence at all is evidence in chief, irrelevant and immaterial---Sewell for Defendants.

Ans. I file as requested a certified copy of the said notice and return and endorsements thereon, and in addition thereto a certified copy of one of the receipts of the said McPherson for tax tickets, being tax



tickets for the year 1866, and ~~which~~ to which receipt there is appended a statement made by me and which receipt and ~~statement~~ is filed with said notice and at the foot of which statement are four credits three of which were paid by Andrew Lockhart and the other by William McPherson as shown on the said statement. Said certified copies are marked " O 1. and 2."

The statement and statements of <sup>1</sup>witness in regard to the statement following receipt ~~is~~ are objected to as evidence because unsigned and made by only one of the parties interested--Sevell for Defendants.

Ques. 7 . On examination of the list of credits above named by you I see that William McPherson only paid \$7.00, is this a part of the credit mentioned in the judgement you obtained ?

Ans.--It is, a part of the \$77.00 credit.

Ques. 8. Then, I now desire to know who paid the balance of the \$77.00 mentioned in the face of said judgement ?

Ans. Andrew Lockhart <sup>paid</sup> to me the \$70.00 balance of the \$77.00 credit, and he also paid to me the \$10.00 credit, June 15th 1869,

Ques. 9. Since giving your former deposition has your recollection been refreshed about any matter that you then deposed to, or should have deposed to, for want of definite recollection, and if so, state what it is, and by what means your recollection has since been refreshed ?

Ans . In my former deposition I stated in answer to a question as to who paid the \$10.00 credited in said judgement, June 15th 1869, that I was rather of opinion that that credit and the other of \$77.00, Oct 1st 1869, were paid by William McPherson, though I was not positive, since that time, and since finding the original papers in the motion case and since hearing a great deal said about tax tickets, debts, etc., being turned over by McPherson to Lockhart my recollection has been refreshed in regard to matters transacted between myself, McPherson and Lockhart. In the Spring of 1869, I was notified by the Auditor of Public accounts that the balance due from me on taxes had to be paid by the 10th of May or 10th of June 1869, I am not sure which, but it was one or the other, and if not so paid he would proceed against me in ~~the~~ the Circuit Court of the City of Richmond, I applied to my deputies for what they were in arrears, and among them William McPherson, who was in



arrears from \$800.00 to \$900.00 somewhere, and I found him in bad condition to pay ~~anything~~<sup>7</sup>. I talked with some of his sureties, I am sure to Mr. Lockhart, about the matter and my urgent necessity, and I went to Mr. McPherson's house to see what means he had of raising money, and in what condition the matter was as to collections and his ability to pay, and my recollection is that he had very few tax tickets that I considered worth anything, he had some Clerk's fee-bills that I took back, and I became satisfied that he was in bad condition to raise any money, and I so advised Mr. Lockhart; and I advised Mr. Lockhart to see McPherson and get what he could out of him and take charge of anything that he could ~~realize~~ realize anything on, and my impression is, though I can't remember of being present on the occasion, that Mr. Lockhart did receive from McPherson some few tax tickets and probably a debt on Harvey Lambert, and perhaps one on Ira G. Sprinkle. Mr. Lockhart to whom I looked principally, he being a man of means, undertook to raise me some money on McPherson's liability as soon and as fast as he could, and he paid me the \$10.00 June 15th 1869, but no more until October 1st 1869, and my impression when I gave my deposition before was that the two credits in the judgement, June 15th 1869, and October 1st 1869, were credits in fact to McPherson, though the principal part of ~~the~~ them were paid to me by Lockhart, and that is my impression yet, and I am now satisfied that the impression was made in this way, <sup>and is correct</sup> that those payments by Lockhart were made by him on account of tax tickets and debts turned over to him by McPherson; that he had either collected or thought he could collect, and in that way those credits were applied generally to the judgement and for the benefit of all. As stated in my former deposition I have no recollection of an order turned over by McPherson to Lockhart on ~~the~~ A. R. Surgeher, it may have been done, but if ever I heard anything of it I have forgotten it.

Ques. 10. Is it not a fact that your recollection has been further refreshed with reference to other payments made by said Lockhart in consequence of said judgement and the collection of the same ?

Ans. I have in ~~my~~<sup>a</sup> my possession some receipts to Mr. Lockhart, one by William W. Sge, late Sheriff of Lee County, for \$31.14 it seems to have been for his commission and cost in the case of myself against William McPherson and others, which I file with my deposition marked " 0 3; I also file another receipt marked " 0 4 " for \$16.50 paid by



him, Lockhart, to C. T. Harris. My recollection is that I assigned a balance of my judgement to David Miller and he assigned some of it to C. T. Harris, and that is I suppose how it happened that Lockhart ~~made~~ the payment to Harris; I also file with my deposition a paper marked " O 5."

These exhibits are objected to because immaterial and statements made in regard thereto, because the writing is the best evidence--Sewell for Defendants.

Ques. 11. What is the difference between the date of your said notice of motion for judgement and the date of the judgement ?

Objected to because the record is the best evidence--Sewell for Defendants.

Ans. I refer you to the copies of judgement and notice, they show I have no doubt the correct date.

Ques. 12. What is the difference between the date of the service of said notice and the date of a deed of trust executed by Joseph Willis to W. W. Sage, Trustee, for the benefit of A. R. Sergener ?

Objected to for reasons above---Sewell for Defendants.

Ans. I refer you to the copies that are exhibited in the cause, which I suppose give the correct date.

Ques. 13. What difference do they show ?

Ans. The notice seems to have been served ~~on~~ ~~James~~ Nov. 5th 1869, and the deed of trust seems to have been executed on the \_\_\_\_ day of ~~1869~~ ~~xxxx~~ Nov. 1869, if this is correct there is ofcourse \_\_\_\_ days difference.

*Ques- I hand you a ~~file~~ dated Dec 2<sup>nd</sup> 1869, signed on your judgt, will you file same with your deposition marked O-6.*  
*Ans- I file same marked as requested.*  
*And further this witness saith nat.*

*James W. Orr*

-----A. B. Munsey, another witness of lawful age being duly sworn deposes as follows:-

Ques. 1. Are you the Clerk of the Circuit Court of Lee County, Virginia, and if so, how long have you been acting and are you as such Clerk the ~~ex~~ custodian of the records of said Court?

Ans. I am Clerk of the Circuit Court of Lee County, Virginia, and have been acting as such since the 1st of July 1893, and as such I am the custodian of the records of said Circuit Court.



Ques. 2. Have you examined the records of said Court in your office for a judgement or judgements in favor of Andrew Lockhart against A. R. Sergener, and if so, have you found any, and how many ?

Ans. I have made search and found two judgements, one at the August term 1877, in favor of said Lockhart and ~~in favor~~ against said Sergener for the sum of \$197.00 with interest and costs, a copy of said ~~judgement~~ judgement I file with my deposition marked " M 1; " I also find ~~another~~ another judgement against A. R. Sergener and S. S. Sergener at the ~~March~~ March term 1880, on a forthcoming, which I am of the opinion was a ~~judgement~~ judgement on a forthcoming bond given on the judgement first above mentioned, I find no other judgement on which a forthcoming bond could have been taken, a copy of this last judgement is also filed herewith marked " M 2. "

*The opinion of the witnesses & statements in regard to judgement are objected to, because the judgement*

Ques. 3. Do you find any other judgement of record in your office in favor of said Lockhart against said Sergener ?

Ans. I do not.

Ques. 4. Have you searched in your office for the papers of the case in which the first judgement you mention was rendered, also for the forthcoming bond on which the last one was rendered, and if so, have you found them ?

Ans. I have searched for said papers and have <sup>a</sup>filed to find them. I have found a file of causes decided at the August term 1877, but the ~~ppx~~ papers of the original cause between Lockhart and Sergener is not in that file, and the forth-coming bond is not in the file of causes decided at the March term 1880. I do not rememeber to have seen any of the papers in these two causes.

Ques. 5. Have you examined the Attorneys memorandum book ~~off~~ from Nov. 25th 1874 to April 1880, and if so have you found any memorandum of a suit brought by Andrew Lockhart against Abraham R. Sergener, and if so about what date does said memorandum seem to have been made ?

Ans. I have thoroughly examined said memorandum book from Nov. 25th 1874 to April 1880, and find but one memorandum of a suit brought by Andrew Lockhart against Abraham R. Sergener, and it seems to have been sometime in November 1874, or in the first part of December of same year. The memorandum is in the handwriting of G. T. Duncan and is signed " Morrison & Duncan."

*Exhibit A  
to the  
deposition  
of  
G. T. Duncan  
in the  
case of  
Andrew  
Lockhart  
vs.  
Abraham  
R. Sergener*



Ques. 6. Will you please file a certified copy of said memorandum with your deposition marked " M 3? "

Ans. I file herewith said certified copy marked as requested.

-----And further this deponent saith not.

*Witness claims  
1 day 50 cts.*

*A. B. Munsey*

Virginia, Lee County, to wit:-

I, H. C. Joslyn, a Justice of the Peace in and for the county of Lee in the State of Virginia, do hereby certify that the foregoing depositions of James W. Orr and A. B. Munsey were duly taken, sworn to and subscribed before me at the time and place and for the purposes mentioned in the caption of the same. Given under my hand, this the 3rd day of June 1897.

*Henry C. Joslyn*  
J. P. in and for Lee Co., Virginia.



Boyd & Williams  
Admrs et al  
vs. 3<sup>rd</sup> Chancery  
Joseph Willis et al

The depositions of  
James W. Orr &  
A. B. Munsey.

Received from H. C. Joslyn  
the J P before whom  
taken and filed June  
4<sup>th</sup> 1897  
A B Munsey Clerk

J. P. Lee. \$1.50



To Joseph Willis and J. W. Glass:

You will please take notice that we will take the depositions of J. W. Orr & others at the Land Office of Orr and Blankenship in Jonesville, Lee County, Va., on Monday the 5th day of October, 1896, between the hours of 8 A.M. & 4 P.M. of that day, which depositions when taken are intended to be read as evidence on our behalf in a certain suit in Chancery now pending in the Circuit Court of Lee County, Va., wherein we are plaintiffs and you are defendants; and if for any reason the taking of said depositions be not begun on that day, or if begun and not completed, the taking of the same will be adjourned from day to day, between the same hours, and from place to place, till they are finished.

<sup>Sept</sup>  
~~August~~ 11th, 1896.

Respectfully,

N. S. Cox &

A. C. Williams, Attorneys  
of Andrew Lockhart, dec'd

By

Counsel

Orr & Blankenship &  
Wm A. Orr Es.



Cory Williams Adams

vs Notice to take  
depositions

Joseph Willis et al

Oct 5th 1896,

~~We accept legal service~~  
~~of the within notice~~  
~~Sept 11th 1896.~~

Executed by delivering  
a copy of the within notice  
to Joseph Willis and  
J W Glass this  
September 21<sup>st</sup> 1896

Ervin Bledsoe  
for W P Weston  
SSC



The depositions of James W. Orr, Thomas  
McPherson, France Miles. S. V. F.,  
Richmond,

taken before me, H. C. Joslyn a Justice  
for Lee County, Va, pursuant to notice hereto annexed,  
at the office of "Orr & Blankenship" in the town of  
Jonesville, Lee County, Va, on the 5<sup>th</sup> day of Octo-  
ber, 1896, between the hours of 9 A.M. & 4 P.M., to be  
read as evidence on behalf of N. S. Boy and  
A. C. Williams, Administrators of the Estate of  
Andrew J. Lockhart, deceased, in a certain  
suit in Chancery now depending in the Circuit  
Court of Lee County, Va, wherein the said N. S. Boy  
and A. C. Williams, Administrators are plaintiffs  
and Joseph Willis et al are defendants.

Present: Wm A. Orr, Sr., and H. W. Blankenship of Coun-  
sel for plaintiffs, and

Thos McPherson,  
J. W. Orr, attorneys of lawful age being

1<sup>st</sup> duly sworn deposed and says as follows:

1 Ques- What is your age and occupation and what  
~~was your occupation in the years 1871-2-3 & 4?~~

were you acquainted with A. R. Surgenor & Joseph  
Willis in the lifetime of said Surgenor?

Ans. I am 52 years old. Am a farmer.  
I was acquainted with both,

2 Ques. Did you hear a conversation between them in  
reference to a deed of trust executed by said  
Willis for the benefit of said Surgenor and



if so, when and where was it, and what was said?

This question & any answer thereto is objected to because irrelevant & immaterial because that question is not involved &c.

Fredmore Russell for Willis.

Ans. I did hear a conversation between them, before Mr Surger's death, and in that conversation, Mr Surger stated that Mr Willis had paid him, the deed of trust. ~~Mr Surger~~ said it would not <sup>do</sup> for him to lift the deed of trust, if he did Mr Lockhart would move against him. This conversation took place at Mr Surger's house, and it was 4 or five years before Mr Surger died. Myself and Mr Willis went there to see Mr Surger about the deed of trust. I don't remember exactly when Mr Surger died but am told that it was in the year 1885.

And further this deponent soth not.

Witness claims  
1 day 50 cts

Thos. McPherson



James W. Orr another witness of lawful  
age being first sworn depose and says:

19- What is your age and occupation?

Ans. 55 years. Lawyer &c.

2 Ques Was you the plaintiff in the judgment filed in  
this suit as exhibit "A"

Ans I was

3 Ques - Is it paid and if <sup>you</sup> answer that it is who  
paid it?

This question is excepted to, because  
the record shows the fact enquired of  
Prisoner of Sewell

Ans. The judgment is paid. Mr A. Lockhart paid it,  
unless it was a small payment made  
by Stokely Lamson. My recollection is that  
Stokely Lamson did make a small payment  
on the judgment.

4th Ques What relations did the parties defendant sust-  
ain to each other in said judgment?

This question & any answer thereto is  
excepted to, because the records  
<sup>in the book for judgment &c</sup> shows the fact enquired of & is the  
best evidence.

PVT for Willis

Ans. Mr McPherson was principal, and the others  
were his sureties in his hand, <sup>or hands</sup> as deputy Sheriff  
to me as Sheriff of Lee County.



5th Ques - Who paid the \$1.80 Credits in said Judgment  
June 15th 1869?

Ans. I am rather of opinion that that credit and  
the other of \$77.00 Oct 1st 1869, were paid  
by Wm McPherson, though I am not positive.

6th Ques Have you any evidence as to amounts  
and dates of payments on this judgment  
if so file same?

Ans. I have an execution issued on this judgment  
returnable to Feb Rules 1875, on which are  
endorsed several credits which I file with  
my deposition, marked "Execution". I also  
file a receipt for \$25.00 to Andrew Lock-  
hart by W. A. M. Baker D.S. for &c, dated June  
21st 1875. Marked "Receipt". As to the \$50.00  
credit on said Execution by T. S. Burk, my  
recollection is that payment was made  
by Mr Burk for said Lockhart.

7th Ques Who paid the other sums as credits on the  
Execution filed with your last answer?

Ans. As before stated, Wm McPherson may have  
paid the credits before the judgment, that is the 3  
first ones, but Andrew Lockhart paid all  
the payments after judgment, unless it was a  
small one paid by Stokely Lamson.

8th Ques Who made the payment of \$25.00 June 21st  
1875 mentioned in the exhibit "Receipt" referred  
to by you?







in order book on ~~page~~ 583  
on Nov. 27<sup>th</sup>/886.

POT for Willis

Ans. He did frequently during that time talk to me about trying to collect from Joseph Willis his part of said judgment, but the deed of trust was in the way, and he did not take any legal steps that I ever heard of.

12<sup>th</sup> June - Have you searched the Clerk's <sup>Office</sup> of said County <sup>Court</sup> since this suit was brought to see whether or not the said deed of trust (filed with plaintiff's bill as exhibit "D") has been released, satisfied, or, any decree entered in the deed book or books, showing the same null and void?

Ans. I have.

13<sup>th</sup> June Is there any record in said Clerk's Office which gives notice that said deed of Trust has been released, <sup>satisfied</sup>, paid, or declared null and void?

This question & any answer thereto is excepted to because the record is the best evidence, especially the book above referred of record in the Circuit Court of Lee County Va.  
POT Sewell for Willis

Ans. There is not that I could find.



14 ques - Referring to Objections to question "11" and your answer thereto, and to the final decree therein rendered and to the suit in which said decree was rendered - You are then asked if either A. J. Lockhart or his heirs or his administrators or either of them were parties to said suit?

This question is objected to because the suit of record in the Lee County Courts Clerk's office is the best evidence or POT for Willis.

Ans They were not.

15 ques - Will you please file a copy of said final decree in said suit with your next answer?

Ans I will file said copy as requested marked "Decree".

16 ques - Stating what else you may know about this case?

Ans - Mr Andrew Lockhart informed me that Stokely Lamson had settled with him his part of said Judgment, that is one third or such sum as Lockhart received from him perhaps on a compromise as to his one third. He also stated to me often that Joseph Willis <sup>James M. Parsons</sup> never paid him anything on account of said Judgment. I know the fact that James M. Parsons was considered



insolvent and so was Willis, as to personal property, and his land was encumbered by the said deed of trust, until set aside, and I never gave said Lockhart or his Admrs any information as to the decree in the case of Joseph Willis or James W Orr Admrs.

This answer is excepted to because the statements of Lockhart <sup>or Lawson</sup> are highly self-serving & it is immaterial whether witnesses gave information of the decree. It was of record.

17 Ques. P.O. for Willis -  
What was the assessed value, for taxation, of the real estate of Joseph Willis for the year 1867?

This question & answer thereto is excepted to because misleading as <sup>is not reliable estimate of the value</sup> ~~that taxable value is always very low~~ & because the records are both immaterial. P.O. for Willis.

Ans. The land book for that year shows 62 Acres at \$2.00 per acre, 325 A. @ \$3.00 and 257 A. @ \$1.00 per acre.

Cross examined -

Do you not know the fact that Wm McPherson, in his lifetime turned over a large amount of



Judgment, receipt, or atty, &c  
a part of which was in  
the late J.R. Surgenor, to Andrew  
Lockheart, which were to be  
by him collected and paid in  
the judgment set out in its  
bill?

Sus No I do not know about that.

2 ~~Do you~~ <sup>Do you</sup> remember the personal  
estate owned by Jo. Willis  
during the years this judgment  
was in force?

Sus I do not.

3 Are you or were you acquainted  
with the real estate owned by  
Jo. Willis during the same period?

Sus I knew something of the land on which  
Willis lived, that I suppose was his, but  
do not know the amount, or the value  
thereof.

4 Is it not a fact that he has  
lived upon the same farm he  
now lives upon, and has claimed  
it as his own for 30 or more  
years?

Sus I have not been there for several years,  
perhaps not since 1883, the last I knew  
of him he lived on or near the old Bledsoe  
place. I don't know where he now lives;



5. Have you not frequently heard Andrew Lockheart say in his lifetime that he suspected and believed that the deed of trust from Jo Willis to W. W. Sage Trustee for the benefit of A. R. Surgermer, was fraudulently made to hinder delay & defeat said Willis Creditors?

Sus. Yes I have heard him say he believed it was fraudulent and was intended to defeat the collection of Willis part of this judgment.

6 Please look at the copy of deed of trust filed with the bill of the plff, and the date of the rendition of the judgment and see if the deed of trust is not some two years older than the judgment?

Sus. The deed of trust is dated 10th of Nov 1869 and the judgment, see Exhibit "A" is dated Nov 19th 1869. There is a mistake in Exhibit "B" as to date of judgment.

7 Please give the date of your last payment & the date of the last execution issued on said judgment?



Ans. The last Execution issued Decr 5th 1874, according to the Execution Book, and the date of the last payment as shown on this Execution was Aug 26<sup>th</sup> 1875.

Re Examined by Plff.

1 When did A. J. Lockhart die?

Ans. I think in 1889.

2 Did he frequently tell you that he could not prove that said Bond of Grant was fraudulent?

This question & any answer thereto is excepted because hearsay, self-serving & inadmissible.

For Willis.

Ans. Yes he has so told me often, and frequently talked to me about trying to find evidence to prove that fact, but never did find such evidence that I know of or ever heard of. And further this deponent birth not.

James W. Orr.

The further taking of depositions in this case is adjourned until tomorrow Oct 6<sup>th</sup> 1896. at the same place.

This Oct 5<sup>th</sup> 1896. H. C. Joslyn J. P.  
Met pursuant to adjournment on this Oct 6<sup>th</sup> 1896. at the office of Orr & Blakenship,



France Miles another witness  
of lawful age being duly  
sworn deposes and says,

1<sup>st</sup> ques. What is your age, Occupation,  
and Residence.

Ans. I am 53 years of age. I am  
a Blacksmith, and live at  
Jonesville Lee Co Va

2<sup>d</sup> que Were you acquainted with the  
late A. R. Surjener, and are  
you acquainted with Joseph  
Willis, and were you frequently  
together.

Ans. Yes.

3<sup>d</sup> ques. Did or not <sup>you</sup> ever hear said  
Surjener say, whether or not  
he claimed anything from Joseph  
Willis, under a deed of Trust  
he held against him said Willis  
and when was it.

Objected to because immaterial  
Pridemore & Lowell.

Ans. I heard him Surjener say, that  
he held a deed of trust against  
Willis, but that Willis did  
not owe him anything on  
it. The conversation took place  
in Jonesville, and was a



(13)

Year or Two before Mr Surgerman died,

Ques 4. Did or not you ever hear Joseph Willis say. That he did not owe Mr Surgerman anything. by reason of this deed of trust or anything else.

Ans. I dont think I ever heard Mr Willis say anything about it, any way

Ques. 5 Did you or not, at the time of the Conversation with Mr Surgerman spoken of, ask him why he took the deed of trust, and if so what was his reply. Objected to become her-see. and immaterial

Prideman & Sewell

Ans. I think I was Constable at the time, ~~any way~~ I had some business with him, and when I saw Mr Surgerman again, I asked him about his deed of trust, and he replied as stated above. I then asked him what he was doing with the deed of trust, and as well as I remember he said, Oh that is for a purpose.



~~Cross Examined.~~

And further this deponent with not.  
Witness claims <sup>2</sup> Francis Miles  
1 day 50 cts

The further taking of depositions  
in this case, is adjourned until  
tomorrow Oct 7<sup>th</sup> at the same  
place. This Oct 6<sup>th</sup> 1896.

H. C. Foslyn J. P.

No witness appearing to testify in  
this case. The further taking  
of depositions <sup>in this case</sup> is adjourned  
until tomorrow Oct 8<sup>th</sup> 1896.  
at the same place.

This Oct 7<sup>th</sup> 1896.

H. C. Foslyn J. P.

The further taking of depositions  
in this case is adjourned until  
Friday Oct 9<sup>th</sup> 1896. at the  
same place.

This Oct 8<sup>th</sup> 1896.

H. C. Foslyn J. P.

Met pursuant to adjournment  
on this 9<sup>th</sup> day of Oct 1896.  
at the office of Or & Blountchips  
Present W. A. Orr for the Plffs.  
and S. C. Sewell Counsel for  
the defendant.



- J. V. F. Richmond another witness of lawful  
being first duly sworn deposes and says:
- 1 Please state whether or not you are  
Clerk of the County Court of Lee County,  
Va, and if you say you are then  
state whether or not you are as  
such Clerk the Custodian of the Deed  
Books of said County, the land  
books of said County and the  
Judgment Lien Books of said  
County?

Ans. I am Clerk of said County  
and am Custodian of all  
the books above named.

- 2 Is there any thing on said Deed  
Books showing that a deed of Trust  
executed by Joseph Willis to W. W. Sage  
Trustee for the use of A. R. Surgenor,  
dated November 10th, 1869, is or has  
been released, paid or declared  
null and void? - Also state whether  
or not you have searched to see?

This question & answer is objected to  
because immaterial & because  
the information here sought is  
in case above referred to in  
the Circuit Court Clerk's  
Office.

D. P. Sewell  
for Willis



Ans. I have searched the books in my office, and from deed book No 16. where said deed of trust is recorded. up to and including the last deed book, and find no deed of release, or anything else showing that it was paid or declared null and void.

3

Is there any entry on your Judgment Lien docket showing that said deed of Trust is paid, released or declared void?

Objected to because immaterial and because not the duty of the ~~Willis who represents~~ Defendant to make such releases.

D. C. Sewell

For Joseph Willis.

Ans. I find nothing indexed, in the name of J. W. Orr Adm. at the suit of Joseph Willis, and nothing in the name of Joseph Willis against J. W. Orr Adm.

4

Have you made an attested transcript from the said land book showing the tracts of land charged for taxation to said Joseph Willis for the years 1869, 1880 and 1891?



(17.)

Ans. Objected to because immaterial,  
misleading. (only certain years  
being selected) and not complete  
as to all the years. &c

S. C. Sewell Jr Sept.

Ans. 2 hore. and 2 file 1<sup>th</sup>  
same marked "Richmond".

5- Saw any land book in your office  
show any other land charged to  
said Joseph Willis than the tracts  
of land shown in said Trans-  
cript Since the year 1869?

Ans. I dont know. I have not searched  
all the land books up to that  
date, only these three.  
And further this deponent with not

Witness claims S. V. F. Richmond.  
1 day 50 cts.

State of Virginia. Lee County To-wit.  
D. Henry C. Foslyn a Justice of the  
Peace for said County. do hereby  
Certify that the foregoing depo-  
sitions of Thomas McPherson  
James W. Arr. France  
Miles. and S. V. F. Richmond  
were duly taken. Sworn to  
and Subscribed, before me.



at the times, and place mentioned  
in the caption of the same.  
Witness under my hand. This  
9<sup>th</sup> day of October 1896,

Henry C. Foslyn J.P.



N. S. Cox & A. C.  
Williams Admin  
vs. In Chq  
Joseph Willis et al

---

The depositions of  
Thomas M. Pherson  
James W. Orr  
Francis Miles &  
S. V. F. Richmond

---

Received of H. C. Joslyn  
the J. P. before whom  
taken and filed Oct  
10th 1896  
A. B. Munsey Clerk

Plffs Depos

Costs.	
Justice	\$ 5.25
witnesses	\$ 1.50
Sheriff	40



The deposition of <sup>to</sup>Harney Lambert, taken by  
Consent of parties at <sup>of Mr. Price</sup>his residence, before  
the undersigned Justice of the Peace of Lee  
County Va, on the 4th day of June 1897. To  
be read as evidence in the Chancery Cause  
of Cox & Williams Admors vs against  
Joseph Willis et als. pending in Lee County  
Circuit Court, & on behalf of Plaintiffs.

The said <sup>to</sup>Harney Lambert a witness of  
lawful age and being duly sworn deposes  
and says.

Question by Plffs.

Did you ever pay to Andrew Lockhart a debt  
that you formerly owed to Mr McPherson.  
If so state when it was and what was  
the amount of said debt.

Answer. I did pay Andrew Lockhart a  
debt. which I owed to William  
McPherson. It is my recollection  
and impression, that it was  
the McPherson debt. I paid him  
either 15 or 17 bushels of Corn  
at 75 Cent per bushel. I paid  
this debt a long-time ago. I  
think it was in the year 1873.  
or 1874. any-way it was before  
Martin Drake was Robbed, and



the reason I speak of Martin Drake is that Mr Lockhart had been getting Corn from Drake for 50 Cents a bushel and he told me he would rather pay me 75 Cents a bushel. Than haul the Corn so far. I know it was before Drake was robbed. The debt was the balance of an execution Mr. Pherson had against me, while he was an officer, and it come into Mr Lockhart hands in that way.

And further This deponent with not.  
Harvey C. Lambert  
<sup>his</sup>  
<sub>marks</sub>

Witness claims  
1 day 50 cts.

Virginia Lee County To-wit:

L. Henry C. Foslyn a Justice of the Peace for said County and State do Certify that the foregoing deposition of Harvey C. Lambert was duly taken. Subscribed and sworn to before me at the time and place mentioned in the Caption of the same, given under my hand this 4<sup>th</sup> day of June 1897.

H. C. Foslyn J. P.



Boat & Williams  
Administrators vs.  
vs. } In Chancery

Joseph Willis et al

---

The deposition of  
Harvey C. Lambert

---

Received from H. C. Joslyn  
the J. O. before whom taken  
and filed June 4th  
1897  
A. B. Munsey Clerk

J. P. Fee #157



Cox and Williams, administrators, etc., Plaintiffs.

Against----- ( In Chancery. ( Circuit Court of Lee County, Va. )

Joseph Willis, Defendant.

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-----The deposition of S. V. F. Richmond taken at the office of Orr & Blankenship by agreement of parties, in the town of Jonesville, Va., to be read as evidence on behalf of the Plaintiffs in a certain suit in Chancery pending in the Circuit Court of Lee County, Virginia, wherein Cox and Williams, administrators, etc., are plaintiffs and Joseph Willis is defendant, before me, H. C. Joslyn, a Justice of the Peace in and for the County of Lee, and State of Virginia, on this the 27th day of February 1897.

~~xxxxxxx~~

Present: Orr & Blankenship, and W. A. Orr, Sr., counsel for Plaintiffs, and D. C. Sewell, of counsel for Defendant.

S. V. F. Richmond, a witness of lawful age, being first duly sworn, deposes and says:

Ques. 1. I now hand you copies of warrants and executions against Joseph Willis with returns endorsed on said executions. Will you please file the same with your deposition marked " S. V. F. R. 1, 2, 3, and 4, respectively ? And I also hand you copies of executions against the same party and returns endorsed thereon marked " S. V. R. 5, 6, and 7," respectively; also copies of two deeds of trust one to John M. Tate, ~~xxxxxxx~~ Trustee marked "S. V. R. 8, " and the other to A. C. D. Maness, Trustee, marked " S. V. R. 9 " and purporting to have been executed by the said Joseph Willis. Please file all these with your deposition marked as aforesaid ?

( At this point D. C. ~~xxxxxxx~~ Sewell of counsel for the defendant asked plaintiffs' counsel to have the witness file a copy of the note to A. L. Pridemore secured by the said deed of trust to said John M. Tate, Trustee, and ~~xx~~ Plaintiffs' counsel declined to file said copy, not deeming it proper for them to do so, and not desiring to do so, when Mr. Sew-



ell insisted for them to do so, and that there was an agreement with J. W. Orr, of counsel for the Plaintiffs that said copy should be filed along with said copy of said deed of trust, but said Orr contended that there was no such agreement, that the agreement was <sup>that</sup> ~~for~~ the defendant's counsel <sup>might</sup> ~~to~~ file said copy or ~~to~~ show that said note had been nearly paid. Said Sewell thereupon stated that he would no longer consent to the taking of this deposition, and with drew from the room, and by ~~rx~~ request of Plaintiffs counsel the taking of said deposition was ~~proce~~ proceeded with.

H. C. Forslyn, J. P. )

Ans. I here file the said copies as requested and marked as stated in the foregoing question, as part of my deposition.

Ques. 2. I now hand hand you a transcript from the execution book ~~kept~~ No. 6. kept in your office as Clerk of the County Court of Lee County, Virginia, showing a return ~~by~~ by a Deputy Sheriff of an execution against William McPherson and Joseph Willis, May rules 1877. Please file the same with your deposition as part thereof marked "S. W. F. 10."

Ans. I here file the said transcript as part of my deposition marked as stated in question 2.

Ques. 3. Have you searched for the said execution in your office and found the same or not?

Ans. I have searched for the same in my office, but do not ~~x~~ find it.

Ques. 4. Are you the Clerk of the County Court of Lee County, Virginia, and as such the custodian of the records and papers of said office?

Ans. I am.

And further this deponent saith not.

J. V. F. Richmond



Virginia, Lee County, to-wit:

I, Henry C. Joslyn, a Justice of the Peace in and for the County of Lee, in the State aforesaid, do ~~ex~~ hereby certify that the foregoing ~~de~~ deposition of S. V. F. Richmond, was duly taken, sworn to before me and subscribed in my presence, at the time and place and for the purposes stated in the caption of the same. Given under my hand this the 27th day of February 1897.

Hen. C. Joslyn, J. P.



Levy and Williams Admrs

Depts. of

vs

J. V. F. Richmond

Lehrer

Joseph Willis et al

Received from H. C. Joselyn  
Thos. J. P. before whom taken  
and filed Feb 27<sup>th</sup> 1897.  
A. B. Murray Clerk

Depts. Depts

Rebuttal

J. P. Lee

The within depositions are excepted  
to for want of notice or agreement  
to take the same. The agreement to  
take this testimony was subject to the  
exception to be made by the defend-  
ant - that is testimony in chief and not  
in rebuttal and therefore not admis-  
sible. That if the deed of trust securing  
the debt to A. L. Pridemore was filed, then that  
the note thus secured and in the possession of  
D. C. Sewell should with the Credit  
thereon be filed show how much was  
paid. This agreement not being complied with  
the depositions are excepted  
to.  
Pridemore Sewell



Virginia: At a Court of quarter session continued  
and held for Lin county, at the Court house thereof on  
Friday ~~the~~ 19<sup>th</sup> day of November, 1869.

James W. Orr

vs

Motion for money  
collected by Wm  
M. Parsons and  
not paid over  
Defts

Wm M. Parsons, James M. Parsons,  
Joseph Willis, Stokely Lawson,  
and Andrew Lockhart,

This day came against the plaintiff, by  
his attorney, and the defendants failing to appear, although  
solemnly called, and it appearing to the Court that the de-  
fendant William M. Parsons has collected taxes, licenses,  
fre-bills &c. to the amount of \$43.93, which he has  
failed to pay over, to the plaintiff, as required by  
law. It is therefore considered by the Court that the  
plaintiff recover against the defendant \$43.93, with  
legal interest on \$211.81, part thereof, from the 15<sup>th</sup> day of  
March, 1867, and the like interest on \$349.60, another  
part thereof from the 15<sup>th</sup> day of March, 1868, and the  
like interest on \$282.52, the residue thereof, from the  
15<sup>th</sup> day of March, 1869, till paid, and the costs  
of this motion — subject to the following credits viz:  
\$10.00 paid June 15<sup>th</sup> 1869, and \$77.00 paid October  
1<sup>st</sup> 1869.

A copy

Test. J. V. F. Richmond Clerk



no. 870

vs Joseph J. Phelps

Joseph Willis et al

( "A" )  
c 70-



Date of Judgment.

Nov. 19<sup>th</sup> 1867

Style of Suit names, descriptions and Residences of the parties

James W. Orr of Lee County, Virginia, Plaintiff  
against

Wm M<sup>c</sup>Pherson, Stobely Lawson,

James M. Parsons, Joseph Willis

and Andrew Lockhart. Defendants

Judgment  
in Debt



Amount of Judgment Credits &c.  
Judgment for \$843.93 with interest on \$211.81  
from 15<sup>th</sup> day of March 1867, and interest  
on \$349.60 from March 15<sup>th</sup> 1868, and  
interest on \$282.52 the residue from  
March 15<sup>th</sup> 1869 till paid and the  
cost \$7.31, subject to the following  
credits - \$10. as paid June 15<sup>th</sup>  
1869 and \$79 as paid Oct 1<sup>st</sup>  
1869

Date of docketing Judgment.

1872

November 29<sup>th</sup>

D. S. V. F. Richmond, Clerk of the County Court of Lu County, Va  
do hereby certify that the foregoing is a true transcript  
from the records This Day 4<sup>th</sup> 1896.  
D. S. V. F. Richmond Clerk.



J. W. Orr  
vs { Copy of Judge  
Joseph Willis et al

B

C 25

Booklet p. 71



Virginia: In the clerk's office of the County Court  
of Lu County.

James W. Orr

vs

J. Judge & Ex. on a Motion  
Wm M. Thurson, Stokely Lawson,  
James M. Parsons, Joseph Willis  
and Andrew Lockhart

J. S. V. F. Richmond

Clerk of Said Court do hereby certify that  
the following return appears on my ex-  
ecution book as entered from the final  
execution issued on said Judgment,  
to-wit: "The balance collected in full from  
A. Lockhart amounting to \$41 <sup>39</sup> Dut  
principal and all costs which ~~which~~ was  
paid to C. J. Harris by the orders of  
David Miller August 26<sup>th</sup> 1875

W. A. M. Baker D.S

for C. L. Hamblen "

Given under my hand, this the 21<sup>st</sup>  
day of May, 1876.

J. V. F. Richmond clerk



J.W. Orr

vs Copy of return  
on file for  
A. Lockhart et al

"Le"

Sept 25-9



Virginia: At a county Court begun and  
held for Lin county at the Court-house thereof  
on Tuesday Sept 2nd 1889.

It appearing to the Court that Mary  
Lockhart widow of A. J. Lockhart, deceased,  
relinquishes her right to the administra-  
tion of the estate of her deceased hus-  
band in favor of A. C. Williams and  
N. S. Goy of the County of Lin; and on the  
motion of the said A. C. Williams and  
N. S. Goy who made oath thereto, and together  
with A. W. Harris, John W. Scott and H. C.  
Joslyn their securities who qualified  
as to their sufficiency, entered into and  
acknowledged a bond in the penalty of  
\$2000<sup>00</sup> with conditions according  
to law, Certificate is granted the said A. C.  
Williams & N. S. Goy for obtaining letters  
of Administration on the estate of the  
said A. J. Lockhart, in due form.

A copy

Teste - S. V. F. R. Richmond Clerk.



A. C. Williams et al

Letters of Administra-  
tion

"E"

Williams & Corp. Admins

vs

Joe Willis  
In Chy

Clerk. 257



This Deed made and entered into this the 18<sup>th</sup> day of February 1874, by and between Joseph Willis of the County of Lee and State of Virginia, of the one part, and C. V. Young trustee of the other part, both of the County of Lee and State of Virginia of the other part. Witnesseth that for and in consideration of one dollar in hand paid and the further consideration of the debts hereinafter mentioned the final payment thereof to the deferent parties hereinafter mentioned and the and the further sum one dollar in hand paid by C. V. Young Trustee to the said Joseph Willis the receipt whereof is hereby acknowledged the said Joseph Willis hath and doth by these presents give grant bargain and sell and convey to the said C. V. Young trustee as hereinafter mentioned the following land lying and being in the the County of Lee and State of Virginia on the waters of a certain tract or parcel of land known as the Alexander Hamilton farm and bounded as follows and said to contain one hundred acres more or less under the north side of Powels Mountain, Beginning at two lines on the top of powels mountain thence north 21 west 52 poles to a stake between a Sugar tree and lynum marked as pointers on the North side of said Mountain thence North 22 west 80 poles to a lynum in Tylors line and with said



line north 65-East 114 poles to a white walnut  
Buckeye and thence South 25-east 132  
poles to a stake on top of Powells mountain  
thence with the top of said mountain to the  
beginning and I by this presents convey all  
right title interest that I have in the lands  
above mentioned to the said C. V. Young  
trustee as aforesaid free from the said Jo-  
seph Willis his heirs and assigns forever.  
nevertheless subject to the following condi-  
tioned and trust whereas the said Joseph  
Willis is indebted to Claiborn Young in the  
sum of twenty-six dollars and nine cents  
due the first of Jan 1861 and to R. D. Young  
the further sum of sixteen and eighty-  
three cents due the 28th of Nov. 1872 and to  
C. Young & sons in the further sum of fourteen  
dollars and fifty nine cents due the 1st of  
Jan. 1875 - now the said Joseph Willis shall  
well and truly pay and discharge the  
said debts and interest thereon to the dif-  
ferent parties here in before mentioned  
within 10 months from this date and save  
harmless the different parties and pay of  
all said debts and the cost of making re-  
cording this deed including commission of  
5-cents on each doll to the trustee and  
in case the debts herein contemplated is  
not paid within the time mentioned  
then it shall be the duty of the trustee af-  
ter giving reasonable notice of the time  
and place sell the land heretofore dis-



1 cribed for cash in hand and satisfy said  
2 debts here are excess remaining is to revert  
3 in said Willis given under our hands this  
4 the 18<sup>th</sup> day of February 1874.

5 Test

Joseph <sup>my</sup><sub>intack</sub> Willis (Seal)  
C. V. Young (Seal)

6  
7 Lee County Virginia This day Joseph  
8 Willis and C. V. Young whose names are  
9 signed to the writing above being dat-  
10 ed the 18<sup>th</sup> day of February 1874. have ac-  
11 knowledged the same before me in Lee  
12 County Virginia this the 18<sup>th</sup> day of Feb-  
13 ruary 1874.

G. C. Duff, J. P.

14 Virginia,

15  
16 Lee County Court Clerk's Office the  
17 23<sup>rd</sup> day of March 1874. The foregoing  
18 Deed of Trust between Joseph Willis of  
19 the first part, and C. V. Young trustee of  
20 the second part, both of Lee County Vir-  
21 ginia, is admitted to record upon the  
22 certificate of G. C. Duff a Justice of the  
23 peace, in and for the County and State  
24 aforesaid.

25 Teste - John R. Gibson S.C.

26 A copy, Teste: S. V. F. Richmond & Co.



C. V. Young Fracture  
From Copy of Record  
Joseph Willis

SB 17 page 91

Clarke 80

Filed with France  
Miles' deposition  
Feb 18<sup>th</sup> 1897.



This deed made this 31<sup>st</sup> day of September  
1874 between Joseph Willis of the first part,  
and James M. Stauper of the other part  
all of the County of Lee and State of Vir-  
ginia. Witnesseth that the said Joseph  
Willis in consideration of the sum of one  
thousand dollars to him in hand paid  
by the said James M. Stauper, cloth bar-  
gain, sell, deliver and convey unto the  
said James M. Stauper all his right and  
titles in and unto to two certain tracts  
or parcels of land lying and being in  
the said County of Lee of the waters of  
Wallens Creek and on the North side of  
Powells Mountain supposed to contain  
one hundred acres of land, and bounded  
as follows to wit:- Beginning at two  
Lynns on the top of Powells Mountain  
Thence N. 21 W 52 poles to a stake between  
a Sugartree and Lynn marked as point-  
ers on the north side of said mountain  
Thence N. 22° 80 poles to a Lynn in Taylors  
line and with the same N. 65 E. 114 poles to  
a white walnut, Lucrere and Lynn, thence  
S. 25 E 132 poles to a stake on the top of  
said mountain, Thence with the top of  
said mountain to the beginning to have  
and to hold the said Tract of land un-  
to him the said James M. Stauper and  
his heirs forever, with all the appurte-  
nances to and with said Tract of land  
to the said James M. Stauper and his



heirs doth warrant and forever defend  
against the claim or claims of the said  
Joseph Willis his heir administrators  
and assigns and against the claim or  
claims of all and every other person  
whatsoever. In testimony whereof the  
said Joseph Willis hath hereunto set  
his hand and seal the day and year  
above written. It is to be understood  
by the party of the second part, and a-  
greed to by the party of the first part  
should it turn out that any of said  
lands should be recovered by A.E. Jackson  
and wife & others in their present action of  
Ejectment or any other claim or claims  
whatsoever the said Joseph Willis binds  
himself his heirs & to pay all expenses ac-  
crued therein. It is also understood the  
land stands for the purchase price of the  
same until paid.

Joseph <sup>his</sup> Willis Seal  
<sup>mark</sup>  
Rizjar <sup>her</sup> Willis Seal  
<sup>mark</sup>

State of Virginia, Lee County, to wit:

I, Thomas McPherson a Justice of the  
peace for the County aforesaid in the State  
of Virginia do certify that Joseph Willis  
whose name is signed to the writing a-  
bove or hereto annexed bearing date on  
the 21<sup>st</sup> day of September 1874 has acknowl-  
edged the same before me in my County  
aforesaid given under my hand this the  
5<sup>th</sup> day of October 1874.



Thomas McPherson J.P.

State of Virginia, Lee County, to wit:-

We Thomas McPherson and Stokley Lawson, Justices of the peace for the County of Lee in the State of Virginia do certify that Misziar Willis the wife of Joseph Willis whoes names or singued to the wrighting above or hereto annexed bearing date on the 21<sup>st</sup> day of Sept. 1874 personally appeared before us in the County aforesaid and being examined by us privally and apart from her husband and having the wrighting aforesaid fully explained to her she the said Misziar Willis acknowledged the said wrighting to be her act and declared that she had willingly executed the same and do not wish to retract it given under our hands this the 7<sup>th</sup> day of October 1874.

Thomas McPherson, J.P.

Stokley Lawson, J.P.

Lee County Court Clerk's Office the 27<sup>th</sup> day of Nov. 1874. The foregoing deed between Joseph Willis & Misziar his wife of the first part & James M. Stamper of the second part, all of Lee County Va. was this day filed in this office and admitted to record upon the certificates of Thomas McPherson & Stokley Lawson two Justices of the peace in and for the County and State aforesaid.

Teste - John R. Gibson, D.C.

A. Copy, Teste: J. T. F. Richmond Clerk



James M. Stauffer  
From & Copy of Deed  
Jas Willis

DTB 17. page 88

Clear 80 cts

Filed with Joseph Willis  
Deho.

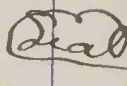
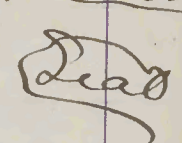


This deed made and entered into on this 10th day of November 1869 between Joseph Willis of the County of Lu and State of Virginia, of the one part, and William W. Sage, of the County and State aforesaid, of the other part, witnesses, that the said Joseph Willis for and in consideration of the sum of one dollar to him in hand, the receipt whereof is hereby acknowledged, as well as in consideration of his indebtedness hereinafter named, doth grant unto the said William W. Sage for several tracts or parcels of land lying in said County and the back fork of Blackwater, being the same tracts or parcels of land to which the said Joseph Willis obtained title as follows, that is to say, one tract of four shares in in the land formerly owned by Sampson Bledsoe which was allotted and confirmed to said Willis by some of Court; another tract of about 60 acres deeded to said Willis by James Bledsoe; another tract of about 50 acres deeded to said Willis by Isaac Bledsoe; and another tract bought of Elias Bledsoe of about 115 acres, for which the Court decreed said Willis a title with all the appurtenances, In Trust to secure the payment of the sum of four hundred and fifty <sup>seven</sup> dollars and thirteen cents, with interest from this date, to Abram R. Surgenor on or before the 1st day of January 1872, which said sum & interest is due & owing from the said Willis to the said Surgenor; and also to secure and indemnify said Surgenor as the surety of said Willis for the amount of a Judgment and execution in favor of Bowen & Dickinson, which is estimated to be ~~three~~ two hundred & fifty dollars and twenty four cents, with interest from this date. Now if the said Willis shall on or before the 1st day of January 1872 pay or cause to be paid to the said Abram R. Surgenor the principal & interest due him, and shall also in charge & pay the debt aforesaid, for which the said Surgenor is his Surety aforesaid, then this deed to be void, but if said Conditions are not complied with as above stipulated, then the said Trustee shall proceed to execute this trust in the manner & mode prescribed by the 6th Section of Ch 117 of the Code of Virginia of 1860.

Witness, the following signatures and seals.

Witness:

M. B. D. Lane.

Joseph <sup>his</sup> Willis   
marked  
William W. Sage 

In County Court Clerk's Office, the 10th day of November 1869. The foregoing deed of Trust from Joseph Willis to Wm W. Sage, both of Lu County, Virginia, was this day acknowledged before me, in my office, by the said Willis and Sage



to be their act and deed for the purposes  
therein mentioned; and, the said deed  
being duly stamped, is admitted to record

Teste—John B. West, D. Clerk

A copy

Teste—J. V. F. Richmond Clerk

Joseph Willis  
Edmund Trust  
Wm L. Sago, Trustee

"Deed"

C 40

Deed Bk 16 p 23



This deed made this 13<sup>th</sup> day of February 1871 between Walter P. Hamilton and Alexander Hamilton of the first part, and Joseph Willis of the other part, all of the County of Lee and State of Virginia. Witnesseth that the said Walter P. Hamilton and Alexander Hamilton in consideration of the sum of four hundred and fifty dollars to them paid by the said Joseph Willis of the second part doth bargain sell deliver and convey unto the said Joseph Willis all their rights and titles unto and to two certain tracts or parcels of land lying and being in the said County of Lee on the waters of Wallins Creek and on the North side of Powells Mountain supposed to contain one hundred acres of land lying and being in the County of Lee and State of Virginia and bounded as follows, to wit: Beginning at two Lynns on the top of Powells Mountain. Thence N. 21° W. 52 Poles to a stake between a Sugartree and Lynn marked as pointers on the North Side of said Mountain thence N. 22° W. 80 poles to a Lynn in Taylors line and with the same N. 65° E. 114 poles to a white walnut buckeye and Lynn thence S. 25° E. 132 poles to a stake on the top of said mountain, thence with the top of said Mountain to the beginning to have and to hold the said tract of land unto him the said Joseph



Willis and his heirs forever with all the appurtenances to and with said tract of land to the said Joseph Willis and his heirs and doth warrant and defend forever against claim or claims of himself and heirs against the claim or claims of all others (except the Jackson suit that ~~is~~ now is against the land) persons whomsoever in testimony whereof the said Walter P. Hamilton and Alexander Hamilton hath hereunto set their hands and affixed their seals the day and year last above written.

Walter <sup>his</sup> ~~mark~~ P. Hamilton Seal

Alexander <sup>his</sup> ~~mark~~ Hamilton Seal

Sarah <sup>her</sup> ~~mark~~ Hamilton Seal

State of Virginia, Lee County to wit:

I, Thomas McPherson a Justice for the County aforesaid in the State of Virginia do certify that Walter P. Hamilton and Alexander Hamilton whose names are assigned to the said writing above or bear by annexed bearing date on the 13<sup>th</sup> day of February 1871 has acknowledged the same before me in my County aforesaid. given under my hand this the 6<sup>th</sup> day of February 1873.

Thomas H. McPherson, J.P.

Virginia, Lee County to wit:

I Thomas McPherson and Stokely Lawson Justices of the peace for Lee County do certify that Sarah Hamilton



1 the wife of Walter Hambleton whose names  
2 are signed to the writing above or hereto  
3 annexed bearing date on the 13 day of  
4 February 1871 personally appeared before us  
5 in the County aforesaid and being exam-  
6 ined by us privily and apart from her  
7 husband and having the writing a-  
8 foresaid fully explained to her she the  
9 said Sarah Hambleton acknowledged the  
10 said writing to be her act and declared  
11 that she had willingly executed the same  
12 and does not wish to retract it given  
13 under our hands this the 9<sup>th</sup> day of  
14 September 1874

15 Thomas McPherson J.P.

16 Stokely Lawson J.P.

17 Lee County Court Clerks Office Nov. 27<sup>th</sup>  
18 1874. The foregoing deed between Wal-  
19 ter P. Hambleton & Alexander Hambleton  
20 of the first part and Joseph Willis of  
21 the second part, all of Lee County, Va.  
22 was this day filed in this office and ad-  
23 mitted to record upon the certificates  
24 of Thomas McPherson & Stokely Lawson  
25 two Justices of the peace in and for the  
26 County and State aforesaid.

27 Teste - John R. Gibson D.C.

28 A. Copy,

29 Teste: J. W. H. Richmond Clerk



Joseph Willis  
From y copy recd  
Alexander Hamilton

Clerk 80 cts

Filed with Joseph Willis  
Depo.



This deed made this 7th day of March  
1881, between Joseph Willis and Kiziah  
Willis his wife of the County of Lee and  
State of Virginia of the first part and A. D.  
Maness (Trustee) of the County of Scott and  
State aforesaid of the second part, witnesseth  
that the said Joseph Willis and Kiziah  
Willis his wife do this day convey to the  
said A. D. Maness trustee the following  
named and described tract of land  
lying and being in the County of Lee  
and State of Virginia, situated on the  
waters of Black water Creek, being two  
tracts, one situated on the north side of  
Newmans ridge, and the other on the south  
side of Stone ridge, The former bounded  
as follows, viz: on the north east and  
south by Joseph Willis line, and on the  
west by Jesse Roberts line, being a por-  
tion <sup>which</sup> was allotted to Houston Bledsoe  
heir at law of Sampson Bledsoe deceased  
Containing fourteen acres more or less.  
The latter, bounded as follows, viz:  
on the east and south by Joseph Willis  
line, and on the west by Emory Gobble line  
being a moiety of an entry made by Jo-  
seph Willis and Emory Gobble, and



Containing twenty five acres more or less, In trust to secure the payment of 3 debts due from Joseph Willis to Lofton Mauness. For as much as the said Lofton Mauness hath suit for now pending on the equity side of the Circuit Court of Lee County Ga, against the real estate of the aforesaid Joseph Willis. And the said Joseph Willis being desirous of securing the payment of the aforesaid debts without further litigation doth grant and convey to the aforesaid trustee the before named and described tracts of land to secure the payment of the same, Nevertheless, Should the said Joseph Willis on or before the first day of January 1880, pay or cause to be paid to the said Lofton Mauness, or his heirs or assigns the aforesaid debts, No 1 amounting to the sum of \$10.00 with interest from the 4th day of April 1873, till paid, No 2 amounting to the sum of \$50.00 with interest from the 21st day of December 1874, till paid, No 3, amounting to the sum of \$10.00 with interest from the 16th day of April 1875, till paid, and all costs including attorney fee heretofore accrued or which may hereafter accrue by any suits heretofore instituted for the collection



of the aforesaid debts, and the costs of  
making and recording this deed, it shall  
be void, But should the aforesaid Joseph  
Willis fail to pay the aforesaid debts in full,  
and all interest and costs aforesaid, and  
the said cost of making and recording this  
deed on or before the said first day of  
January 1882, it shall be the duty of the  
said trustee to sell the aforesaid tracts  
of land by public outcry in front of the  
Court house door in Lee County Va, after  
he shall have advertised the time and  
place of sale, and out of the proceeds  
thereof pay to the said Lofton menses  
the aforesaid debts with interest and  
all costs aforesaid, and retain five per  
cent Commission for services as trustee,  
and pay the residue, if any, to the said  
Joseph Willis or his personal represen-  
tative. Witness the following signatures  
and seals, date above written

Joseph <sup>his</sup> Willis Seal  
Liziah <sup>his</sup> Willis Seal

Signed, sealed and  
delivered in the <sup>his</sup> presence of <sup>his</sup> Bledsoe  
George <sup>his</sup> Roberts



Virginia Lee County - to wit:

I, Thos McPherson a Justice of the Peace in and for Said County of Lee and State of Virginia, do Certify, that Joseph Willis whose name is signed to the writing within bearing date on the 7th day of March 1881, has this day acknowledged the same before me in my County aforesaid. Given under my hand this March the 7th 1881.

Thos McPherson JP.

State of Virginia, Lee County. to wit:

I, Thos McPherson, and Bookery Lawson Justices of the Peace in and for Said County, do Certify that Kiziah Willis the wife of Joseph Willis, whose names are signed to the writing within bearing date on the 7th day of March 1881, personally appeared before us in the County aforesaid. and being examined by us privily and apart from her husband having the said writing fully explained, she, the said Kiziah Willis acknowledged the said writing to be her act and declared that she had willingly executed the



same and does not wish to retract  
it. Given under my hand this March  
the 7th 1881.

Thos M. Therson Jr.

Stokely Lawson Jr.

Virginia Lee County Court Clerk's Office  
March 29th 1881, The foregoing deed of trust  
bearing date on the 7th day of March 1881,  
from Joseph Willis and Rixiria Willis  
his wife of the County of Lee and State  
of Virginia, to A. C. D. Mauness Trustee  
of Scott County Va was this day ad-  
mitted to record upon the Certificates of  
Thos M. Therson and Stokely Lawson  
Justices of the Peace for Lee County Virginia  
Teste John C. Orr D.C.

A Copy-

Teste: J. V. F. Richmond Clerk



A. C. D. Mannes Trust  
From ~~Convey~~ - Recd of  
Trust  
Joseph Willis wife

D/319-306

Cl. 11/20

~~Filed by Piffs as evidence,  
by Consent, in case of  
N. S. Cox vs. W. Williams  
Admrs vs Jos. Willis.~~

(S. V. F. R. - 9)



This deed made this 24<sup>th</sup> day of September 1887, by and between Joseph Willis and Willis his wife of the first part and John M. Tate Trustee of the second part witnesseth that whereas the said Joseph Willis is indebted to A. L. Priemore in the sum of \$431.24 by note bearing even date with this instrument, being the result of a full settlement this day made between them of all matters of a personal character which the said Willis is desirous to further secure, Now therefore in consideration of the premises as well as the sum of one dollar to the said trustee, in hand paid the receipt whereof is hereby acknowledged, the said parties of the first part doth grant, bargain, sell, and convey unto the said party of the second part all the lands owned by them or either of them, situated in Lee County Virginia. In trust nevertheless to secure the payment the sum aforesaid and interest from this day. Now if the same shall be paid on or before the first day of Jan 1889, then this deed of conveyance to be null and void



otherwise the said trustee on application by the said Pridemore shall sell for ready cash so much of said land as will pay said debt and interest and costs of sale. But in the event of sale said trustee shall sell in such parcels and such lands as the said willis may direct, and on his failure to direct said trustee shall sell as he may think best the sale shall be made on some Court day at the front door of the Court house, or on the premises of said willis so requests. But no sale shall be made until said land has been advertised for 30 days, on said Court house door & in the neighborhood where the land lies - setting out time, terms & place of sale. The said trustee shall have such compensation as is now allowed by law. Witness the following signatures & Seals this the day and year first above written

Joseph X willis *Read*  
Attest: John M. Lato

Virginia Lee County to wit:

J. John R. Gibson Clerks of Lee County Court  
do certify that Joseph willis whose name



is signed to the foregoing deed of Trust  
bearing date Sept 24<sup>th</sup> 1887, personally  
appeared before me in my County and  
acknowledged the same to be his act  
and deed and said deed is admitted  
to record. Given under my hand this 24  
day of Sept 1887.

John R. Gilson clerk.

A Copy-

List: S. V. F. Richmond clerk



John M. Tate Trustee  
From <sup>Copy</sup> Recd of Trust  
Joseph Willis

1573 2 2 page 515

Clear 60

~~Filed by Consent as evidence  
for Plaintiff in Cause of  
V. S. Carr v. B. Williams  
Admors vs Jas Willis.~~

(S. V. H. R. 8.)



Recd  
for Tax.

Issued. Andrew Lockhart vs Shrover R Surgeon.  
Summon Assumpsit. Damage \$800.00  
To Jury Rules.

Morison & Duncan.

The foregoing is a true copy from the Memorandum book of Lee County Circuit Court. And from the date on the opposite page must have been made the latter part of Nov or first of Decr 1874.

A Copy Teste; A. B. Mursey Clerk



Andrew Lockhart.  
or { Copy of Memo'  
3  
Abraham R. Surgenor.

---

M - 3.  
With A. B. Munsey's Depo.



Virginia

At a circuit Court continued and held  
for Lee County at the Court house thereof on  
Thursday the 6th day of September 1877  
Andrew Lockhart Plaintiff

vs  
A. R. Surgener Defendant } Inassumpsit

This day came again the parties by their  
attorneys and thereupon the defendant by his attorney re-  
leased \$50.00 of the verdict of <sup>the</sup> jury rendered in  
this cause on the 3rd day of the present term  
whereupon it is considered by the Court that  
the motion to set aside said verdict be and  
is hereby overruled & that the plaintiff re-  
cover against the defendant \$177.00 damages  
for the non-performance of the assumptions  
in the declaration mentioned, with legal  
interest thereon from the first day of Jan-  
uary 1872. until paid, and the Costs.

A Copy

Lecti; A B Mursey Clerk

to 21.60  
a 2.50  
s 9.50  
or 29.58  
63.18



Andrew Lockhart  
vs } Copy of Judgment  
A. B. Surgenor

M-1.  
With A. B. Munsey's Depts

Clerk 25<sup>cts</sup>

Q. Book Page 194



Virginia

At a circuit Court continued and held  
for Lee County at the Court house thereof, on  
Friday the 2<sup>nd</sup> day of April 1880.

Andrew Lockhart Plaintiff

vs

A. R. Surgener & S. S. Surgener Defendants Bond forfeited

A Motion on  
a forth coming

This day came again the plaintiff  
by his attorney, and the defendants although  
Solemnly Called came not, it is therefore  
considered by the Court, that the plaintiff  
recover against the defendants \$696.50  
the penalty of said bond, but which is to be  
discharged by the payment of \$80.33, with  
legal interest thereon from the 2<sup>nd</sup> day of  
November 1877. until paid, and the Costs.

A Copy

Teste; A. B. Munsey Clerk

6 3.93  
5 1.00  
4.93



Andrew Lockhart  
vs } Copy of Judgment  
A. R. Surgenor et al

M-2-

With A. B. Munsey's Depts.

clerk 25<sup>cts</sup>

Q. Book Page 320



Alexander Hamilton for  
+C

os } Copy from Ex Book.

3 } Jm M'Pherson & J<sup>s</sup> Willis.

S. V. F. R. - 10.



Date of Bi. fa	Style of Suit	Judgt
1871 Jan'y	Alexander Hamilton,	Judgt for \$100 <sup>00</sup> with legal interest thereon from the first day of January 1866, till paid and the costs. Late C. 5.74 C. 3.48 A 2.50 B 1.00 J 50 wit 1.00 Add for C. 58
1877 Mch 6th	for Hiram H. Brasier	
	against	
	William McPherson and	
	Jos. Willis	



Sort of Reas

Return on Fi. Fa.

Fi. Fa.

Held up by order of the plaintiff. C. L. Hamblin, S. L. C.  
Credit the judgment opposite this pledge, by \$25.  
paid in corn December 1875. H. H. Brashier.

Fi. Fa.

No property found. Thos. J. Ely D. S. for Thos. S. Ely S. L. C.

Ruler

March R/71

May R. 1877

I hereby certify that the foregoing is a true copy from the Execution  
Book No. 6 in my office. This February 27th 1897.

S. V. F. Richmond Clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

We command you, That of the goods and chattles of

*Joseph Willis*

*late* in your bailiwick, you cause to be made *\$ 57.36*

with interest at the rate of six per centum per annum from the *16* day of *January* 18*92*  
until paid, which *Carr Bailey*

*late* in our Circuit Court of the County of Lee, has *recovered against the said him by suit*  
*as well for a debt as interest thereon; also 7.76*

*by Bailey* ~~dollars and~~ ~~cents~~ which to the said  
in the same court were adjudged for *his* costs  
about ~~suit~~ in that behalf expended, whereof the said *Willis is*  
*convict* as appears to us of record. And how you shall execute this

writ make know at the rules to be holden in the clerk's office of our said Circuit Court, on the 1st Monday  
in *June* next. And have then there this writ.

Witness *J. A. G. Hyatt*, Clerk of our said court, at the court-house, the *9th* day of  
*April* 1888, and in the 122<sup>nd</sup> year of the Commonwealth.

*J. A. G. Hyatt*. Clerk.

*A copy*

*Teste - A. B. Munsey Clerk*

*6 4.57*  
*5 1.50*  
*3 2.50*  
*Co C 25-*  
*87.76*



241/ cir ct  
April 7

(P)  
(H)

E. B. No. p.

Carr Bailey

Fl. Fa.

vs.

IN DEBT.

Joseph Willis

(S. V. F. R. - 7)

Came to hand:

189, at o'clock M

To June Rules -  
- 1888

Circuit Court.

Jud 189

~~O. B. No. p.~~

Not executed no property  
found subject to levy.

May 26<sup>th</sup> 1888.

G. B. Waller Deputy

for R. D. Flanery, S. C. C.

4 Copy Letter - A B Munsey Clk



Virginia--Lee County, To-Wit:

To Fraunce Miles, Constable of said County.

I hereby command you to summon Joseph Willis

If to be found in your District to appear at Jonesville in said county, on the 20 day of April 1894 before me or such other Justice of said County, as may be there to try this warrant, to answer complaint of John B. Wirt

and upon claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$..... due by Note and then and there return this warrant.

Given under my hand the 10<sup>th</sup> day of April 1894  
J. P. Leary J. P.

..... } On the ..... day of ..... 189 ..  
..... } (In Debt)  
..... } At ..... In said County,

JUDGMENT, That the Plaintiff recover of the Defendant \$9.56 with interest thereon from the 13 day of May 1893 until paid, and \$... 90 for costs. Given under my hand this 19<sup>th</sup> day of May 1847.  
Doddley R. Dawson J. P.

VIRGINIA--Lee County, To-wit: To Fraunce Miles Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of

Joseph Willis

....., in your county, you cause to be made the sum of \$ 9.56 with interest thereon from the 13<sup>th</sup> day of May 1893, till paid, which

John B. Wirt has recovered before me warrant in debt, and also the sum of \$ 90 which were adjudged to

he said John B. Wirt for costs in prosecuting said warrant.

Given under my hand the 19<sup>th</sup> day of May 1894  
D. Dawson J. P.

A Copy  
Lester, S. W. F. Richmond Clerk Co



John B. Wirt  
Jsg Warrant  
Jos Willis

---

Executed May  
19, 1874

Fraunce Miles

Const

No property found

J. Miles Const

---

A Copy -

Test: J. V. F. Richmond  
Clerk

Clerk 25

(S. V. F. R. - 4)



Virginia---Lee County, To-Wit:

To *Wm. Bonham* Constable of said County.

I hereby command you to summon, *Joseph Willis*

If to be found in your District to appear at the office of *John M. Tate* J.P. in said county, on the *4th* day of *March* 18*82* before me or such other Justice of said County,

as may be there to try this warrant, to answer complaint of *Wm. C. Hugate* *Adm'r*

and upon claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$*5.00* due by *Note* and then and there return this warrant.

Given under my hand the *28* day of *Feb* 18*82*

*Wm. C. Hugate* *Adm'r* On the *30* day of *June* 18*82*.  
*Joseph Willis* (In Debt) At *John M. Tate* in said County, J. P.

JUDGMENT, That the Plaintiff recover of the Defendant \$*5.00* with interest thereon from the *20th* day of *Feb* 18*80* until paid, and \$*80* for costs.

*John M. Tate* J. P.  
VIRGINIA—Lee County, To-wit: To *Wm. Bonham* Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of *Joseph Willis*

, in your county, you cause to be made the sum of \$*5.00* with interest thereon from the *20* day of *Feb* 18*80* till paid, which

*Wm. C. Hugate* *Adm'r* has recovered before *me* warrant in debt, and also the sum of \$*80* which were adjudged to

he said *Wm. C. Hugate* *Adm'r* for costs in prosecuting said warrant.

Given under my hand the *20th* day of *June* 18*82*.

*Copy-*  
*Liste: J. W. Richmond* *John M. Tate* J. P.



Com Co. Fugate Ariz  
By Warrant  
Joseph Willis

Executed Feb 28<sup>th</sup> 82

H. C. Bonham C. C.

(S. V. # R-2)  
Execution

By  
Joseph Willis

Issued to H. C. Bon-  
ham June 20<sup>th</sup> 1882.

J. M. Tate JP.

No property found  
this August 20<sup>th</sup> 1882

H. C. Bonham C. C.

Dec 18 25  
Filed Aug 23<sup>rd</sup> 1882  
J. R. Gibbons C. C.  
A copy  
Teste: W. F. Richmond Clerk



Virginia---Lee County, To-Wit:

To Al. Bonham, Constable of said County.

I hereby command you to summon, Joseph Willis

If to be found in your District to appear at the office of John M. Tate in said county, on the 4<sup>th</sup> day of March 1882 before me or such other Justice of said County, as may be there to try this warrant, to answer complaint of Wm C. Fugate Adm

and upon claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$5.00 due by notes, and then and there return this warrant.

Given under my hand the 28<sup>th</sup> day of Feb 1882

Wm C. Fugate Adm On the 30 day of June 1882  
Against Joseph Willis (In Debt) At John M. Tate in said County,  
J. P.  
JUDGMENT. That the Plaintiff recover of the Defendant \$5.00 with interest thereon from the 13<sup>th</sup> day of Aug 1882 until paid, and \$.80 for costs.

John M. Tate J. P.  
VIRGINIA—Lee County, To-wit: To Al. Bonham Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of

Joseph Willis, in your county, you cause to be made the sum of \$5.00

with interest thereon from the 13<sup>th</sup> day of Aug 1882 till paid, which

Wm C. Fugate Adm has recovered before me warrant in debt, and also the sum of \$.80 which were adjudged to

he said Wm C. Fugate for costs in prosecuting said warrant.

Given under my hand the 20<sup>th</sup> day of June 1882  
John M. Tate J. P.

Acopy  
Teste: W. F. Richmond Clerk



Com C. Ingate Sumner  
vs Warrant  
Joseph Willis

Executed Feb 28-82

H. C. Bonham  
C. L. C.  
(S. V. F. R. - 3)

Execution

vs 3.

Joseph Willis.

Issue to H. C. Bonham  
Court June 20<sup>th</sup> 1882

Jno M. Tate Jd.

No property found this  
August 20<sup>th</sup> 1882

H. C. Bonham C. L. C.

Clerk vs  
Filed Aug 23<sup>rd</sup> 1882

J. R. Gibson clk  
cc Com  
Test: S. F. Richmond Clerk



Virginia--Lee County, To-Wit:

To S. H. Bain Constable of said County.

I hereby command you to summon, A. R. Surgeon & Joseph Willis

If to be found in your District to appear at June 1886 in said county, on the June day of 1886 before me or such other Justice of said County as may be there to try this warrant, to answer complaint of M. D. Richmond

and upon claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$ 90.00 due by note, and then and there return this warrant.

Given under my hand the 22<sup>nd</sup> day of June 1886

M. D. Richmond Receiver On the 7 day of August 1886  
Joseph Willis and A. R. Surgeon (In Debt) At my office in said County,  
 J. P. Joseph Willis Survivor  
 JUDGMENT, That the Plaintiff recover of the Defendant \$ 90.00 with interest thereon from the 1<sup>st</sup> day of April 1886 until paid, and \$ 1.50 for costs.

S. H. Bain J. P.  
 VIRGINIA--Lee County, To-wit: To S. H. Bain Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of Joseph Willis Survivor & C

in your county, you cause to be made the sum of \$ 90.00 subject to a credit of \$ 100.00 June 19 1886. also 50¢ Jan 24 1884 with interest thereon from the 1<sup>st</sup> day of April 1886 till paid, which

M. D. Richmond Receiver has recovered before me warrant in debt, and also the sum of \$ 1.50 which were adjudged to

the said M. D. Richmond Receiver for costs in prosecuting said warrant.

Given under my hand the 7<sup>th</sup> day of August 1886

A Copy - Joseph Willis Survivor J. P.  
 Teste: S. H. Bain Receiver

Subject to a credit of two dollars June 19 1883 also by \$50. June 24 1884



M. D. Richmond  
Warrant  
vs Joseph Willis &  
A. R. Surgeon

---

Executed June 27/1886.

J. H. Bolin Clerk  
Fried 1<sup>st</sup> Saturday  
in July 1886 before  
J. M. Tate JP.

---

Continued until 1<sup>st</sup>  
Sat in August - 86.  
at the instance of  
deft Willis  
July 3<sup>rd</sup> 1886  
J. M. Tate JP.

Filed & docketed  
Oct 7<sup>th</sup> 1886.  
John R. Gibson  
Clerk

Clk 25  
(S. V. F. R - 1)

(over)

No property found  
Sept 23 1886

J. H. Bolin Clerk  
A Copy -  
Teste: J. D. F. Richmond  
Clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

We command you, That of the goods and chattles of

*Joseph Willis*

in your bailiwick, you cause to be made

*\$68.08 4/11*

with interest at the rate of six per centum per annum from the

*19<sup>th</sup>* day of *Augt* 18*76*

until paid, which

*A. D. Zion M. D. Richmond & S. T. Bishop*

late in our Circuit Court of the County of Lee, have recovered against ~~the said~~

*him by decree*

~~as well for a debt as interest thereon;~~ also

*\$12.73*

dollars and

cents,

which to the said

*our said*

in the same court were adjudged for

*their*

costs

by

*about*

~~suit~~ in that behalf expended, whereof the said

*Willis is*

convict as appears to us of record. And how you shall execute this

writ make know at the rules to be holden in the clerk's office of our said Circuit Court, on the 1st Monday

in

*July* next. And have then there this writ.  
Witness, *James W. Orr*

*May*

Clerk of our said court, at the court-house, this

*8<sup>th</sup>*

day of

18*77*, and in the *105<sup>th</sup>* year of the Commonwealth.

*James W. Orr* Clerk.

*Costs 12.05 -  
6 .68  
\$12.73*

*A copy.  
Leste -*

*A. B. Munsey Clerk*



chj 75- (L)

E. B. No. p.

A. D. Gian et als.

vs. { FI. FA.

IN DEBT.

Joseph Willis

(S. V. F. R. - 6.) p-q

Came to hand

189, at o'clock M

To July Rules  
1879.  
Circuit Court.

Jud. 189

O. B. No. p.  
No property found  
France Miles, D. S.  
for J. S. Ely. S. L. C.  
A copy.  
Lester - A. B. Munsey Clerk



# THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You that of the Goods and Chattles of

*Joseph Willis*

Late in your Baliwick you cause to be made \$ *47.62* the penalty of a Forthcoming Bond, to be discharged by the payment of \$ *23.36* with legal interest thereon from the *19th* day of *January* 18 *74* till payment which *S. B. Herron for Wm Roberts*

Lately in our Circuit Court of Lee County has recovered against *him* by motion on said Bond;

also \$ *2.27*

which to the said *Herron for &c*

in our Court were adjudged for

*Willis is*

*his*

costs in that behalf expended whereof the said

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the

Courthouse on the first monday in

*June*

next to render to the said

*Roberts*

of the

*James W. Orr*

and costs as aforesaid.

And have then there this writ. Witness *JOHN A. C. HYATT* Clerk of our said court at the courthouse this

*8th* day of *April*

188*5* in the *10th* year of the Commonwealth.

*6 1.77*

*3 1.50*

*\$ 2.27*

*Acqy.*

*Lette*

*James W. Orr*

Clerk.

*A B Munsey Clerk*



60/ (5) 1870

S. B. Herran for &c.

as { Hi Ha.

Joseph Willis

to security to be taken

June Rules 1875-

Recd April 2<sup>d</sup> / 875-

H. A. M. B.

that executed no  
property found. duly-  
not to levy June 7<sup>th</sup> 1875.

H. A. M. Baker

D. S. for C. L. Hamilton.

A copy

Teste A. B. Munsey  
Clerk

(S. V. H. R. - 5)



Judgment Lien Docket	By what Court rendered	Time of Docketing	Names and description of parties debtor, Damages, interest and costs,	Lien Docket.	Amount and Date of Credits.
1896 Aug 20	Lee Co Court	1896 Oct 10 <sup>th</sup>	Windsor Bledsoe Reff. vs Joseph Willis debtor debtor	Judgment for \$19.25 with inter- est from 11 <sup>th</sup> day of October 1882, until paid & costs \$1.25 C 3.45 JP 1.00 D 50	

A Copy -  
Teste: D. V. F. Richmond Secretary



Windron Bledsoe

vs } copy of Judge Lin

Joseph Willis

"Bledsoe"

Copy

Clark 25<sup>th</sup>



DEPT. OF JUSTICE

Eastern District of Virginia.

W. Blankenship,  
UNITED STATES COMMISSIONER,  
JONESVILLE, VIRGINIA.

RECEIVED  
MAIL BUSINESS—Any person using  
this envelope to avoid the payment of postage  
of any kind will be subject to a fine of

Williams

vs

Joseph Willis.

Papers filed with  
S. V. H. Richards

Depo<sup>t</sup> - Feb 27<sup>th</sup> 1897

H. C. Forsgren J.P.



William Mcphearson late Deputy Sheriff of  
James W Orr late high Sheriff of Lee County Va.  
and Andrew Lockhart, J. M. Parsons, Stokely  
Lawson & Joseph Willis securities of the said  
Mcphearson Deputy Sheriff as aforesaid in  
his bond to save harmless, the said Orr  
Shff as aforesaid, and Constitutioned to the  
performance of the duties of the said Mc-  
phearson Deputy Shff as aforesaid.

Gentlemen.

Take notice that on the  
2<sup>nd</sup> day of the November term 1869, of the  
County Court of Lee County, at the Court house  
thereof, I shall move the said Court for a  
Judgment against you and each of you  
for the amount of five separate receipts  
given by the said Mcphearson to me the  
said Orr, for tax tickets for the years 1866,  
1867 & 1868, and also for certain clerks fee  
bills, License taxes, and Sheriffs fee bills as  
shown by the said receipts for the years  
above mentioned, which were placed in  
the hands of you the said Mcphearson, Deputy  
Shff as aforesaid for collection and which you  
the said Mcphearson have collected and failed  
to pay over as was your duty to do, and which  
I as Shff have paid, and am liable to pay to  
the amount of eight hundred dollars, by reason  
of your failure as aforesaid. I shall also move



the Court at the same time for the Costs of this motion.

October 28th 1869.

James W Orr.

Executed on James M Parsons, and William McPherson by delivering his wife a copy of the within and Joseph Willis and Stokely Lanson November the 5 1869 and Andrew Lockheart.

Wm W Sage. S. L. C.

He accept legal service of the within notice November 1st 1869.

J. M. Parsons.

1869. Nov. - Notice Proud & Continued.

Nov. Jud for Plff for \$843.93.

The foregoing is a true copy of the Notice of James W Orr against ~~Wm~~ McPherson et als and the judgments thereon, in which judgment was rendered in Lee County Court at the Nov term 1869.

Teste: J. V. F. Richman and Clerk

Received October the 1866, of James W Orr S. L. C. Tax tickets for the year 1866, amounting in the aggregate to the sum of (\$956.05) nine hundred and fifty six dollars and five cents which I bind myself to collect and account for to the said Orr, or return according to law.

Wm McPherson Deputy  
for James W Orr. S. L. C.



1866.	Amount of Tax tickets received by Wm			
Oct.	McPhearson this sum			\$ 956.05
	By delinquent Tax tickets returned this sum	\$ 101.79		
	" Commission on \$ 854.26 remainder	48.00		
	" Cash, Jury claims & receipts for Co claims	591.10		
1867.				
July 12	" Cash	20.00		
Aug Rules	" Cash	11.50		
		772.39	956.05	
1869.	Balance due March 15th 1867.		183.66	
June 15th	Credit \$10.00 by Andrew Lockhart	10.00		
Oct 1st	" 50.00 " Same	50.00		
" "	" 7.00 " Wm McPhearson	7.00		
" "	" 20.00 " Andrew Lockhart.	20.00		

The foregoing is a copy of one of the receipts filed with said Notice, together with the statement & credits at the foot thereof.

Teste: J. V. F. Richmond Clerk



James W Orr  
vs } Copy of Notice re.  
Am McPherson et als.

Q 1 + 2  
With Jas W Orr's Depo.



Received of Andrew Lockheart thirty one  
Dollars and fourteen cents the full amount  
of my commissions and cost in the case  
of James W. Cox vs my said William McPherson  
Stokley Lawrence James McParsons Joseph Willis  
and Andrew Lockheart this the 7 of June  
1872

William J. W. Sage Late S. D. C.



Wm W Day  
Receipt  
or Debt  
of 31.14

O-3.



Recd of Andrew Lockhart  
(\$16.50) sixteen dollars and  
fifty cents for the benefit  
of David Miller and credited  
on an order I recd from  
said Miller on Wm Baker  
This July 29/875.  
C. T. Harris,



O-4.



Recd of Andrew Lackhart Seventy  
Dollars paid money this 5<sup>th</sup> day of  
May 1870. A. R. Surfer.



A R. Sengen  
Receipt.

O-S-



# The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREENING

WE COMMAND YOU, that of the goods and chattels of *M<sup>r</sup> McPherson, Stokely Lawson, James M. Parsons, Joseph Willis and Andrew Lockhart,* late in your bailiwick, you cause to be made \$ *843.93* with legal interest <sup>on 1211.81</sup> thereon from the *15th* day of *March*, 1867, till paid, and which the like interest on \$ *349.60* from the *15th* day of *March* 1868, and the like interest on \$ *282.52*, the residue, from the *15th* day of *March* 1869, <sup>till paid</sup> which *James M. Orr* lately in our County Court for Lee county, has recovered against them by <sup>motion</sup> ~~set~~ for money collected also, \$ *6.73* which to the said *Orr* in our said Court were adjudged for *his* costs in that behalf expended, whereof the said *McPherson, Lawson, Parsons, Willis & Lockhart* are convicted as appears to us of record. And that you have the same before the Justices of our said county Court, at the Court House, on the first Monday in *February* next, to render to the said *Orr* of the *debt, interest* and costs aforesaid.

And have that there this writ. Witness, JOHN B. WEST, Deputy for SYLVESTER E. THOMPSON, Clerk of our said Court, at the Court House, this, *2nd* day of *December* 1869, in the *94<sup>th</sup>* year of the Commonwealth,

*John B. West, D.* Clerk

*61.73*  
*A 2.50*  
*S. 2.50*  
*\$ 6.73*

by said M<sup>r</sup> McPherson & Stokely Lawson & James M. Parsons & Joseph Willis & Andrew Lockhart



No 6 (171)

James H. Orr

vo. 3 Fi Fa

A Tucker

William M. Johnson et al

February Rules 1870.

Not Executed  
Who was 126

("06")

Can June 15th 1869 \$11.00  
Oct 1st 1869 " 77.00



ORR & BLANKENSHIP,  
Attorneys and Counselors at Law,  
JONESVILLE, VIRGINIA.

A. Lockhart  
vs Receipts &c  
Jas Willis

With Jas W Orrs Depts

0-3, 0-4 & 0-5-  
& 0-6.



One day after date I promise  
to pay H. L. Pridemore the sum of four  
hundred & thirty one dollars & twenty  
four cents and as to this debt waive  
the benefit of my homestead exemptions.  
Witness my hand & seal this Sept. 24<sup>th</sup>  
1887

a copy

Attest -

Jos M. Tate

Copy (signed) Joseph <sup>his</sup> Willis Seal  
mark



Oct. 10<sup>th</sup> 1894.

credit by check if paid when presented. this sum \$100 =

credit Dec 1 1894 By check this sum 200 =

credit Dec 17<sup>th</sup> 1894 by cash 100 =

Cr the within note one hundred dollars Feb 1895 100.00

Cr the within note eighty dollars 2 more  
this Oct 21 1895-

Cr by twenty dollars this March 2 1896.

Willis

W. L. Davidson

30 } note \$431.24

Joseph Willis

for value received I assign the within  
note to B. F. Thier and the amount of same  
on the 16<sup>th</sup> of April 1894 is the sum of \$601.24  
by check of bank on which bank-credit  
is due (payable) W. L. Davidson



William McPhearson late Deputy Sheriff of James W  
Orr late high Sheriff of Lee County Va. and Andrew Lockhart  
J M Parsons, Stokely Lamson, & Joseph Willis, securities of the  
said McPhearson Deputy Sheriff as aforesaid in his bond, to save  
harmless, the said Orr Shff as aforesaid, and constituted  
to the performance, of the duties of the said McPhearson Deputy  
Shff as aforesaid.

Gentlemen:

Take notice that on the 2<sup>nd</sup> day  
of the November term 1869, of the County court of Lee County, <sup>at the court house thereof</sup> I  
shall move the said court for a judgment against you and  
each of you, for the amount of five separate receipts given  
by the said McPhearson to me, the said Orr, for Tax tickets for  
the years 1866, 1867, & 1868, and also for certain clerks fee bills  
License Taxes, and Sheriffs fee bills as shown by the said receipts  
for the years above mentioned, which were placed in the hands  
of you the said McPhearson, Deputy Shff as aforesaid for collection  
and which <sup>the said McPhearson</sup> you have collected and failed to pay over as was  
your duty to do, and which I as Shff have paid by reason  
of your failure as aforesaid. <sup>and am liable</sup> I shall also move the court at  
the same time for the costs of this motion.

October 28<sup>th</sup> 1869,

James W Orr,



We accept the legal services of the within notice  
November 1st 1869

J. M. Pearson

James W Orr

vs Motion

Wm McPherson et al

2 day Nov Term 1869

Executed on  
James W. Orr  
on William McPherson  
son by Delivering  
his wife a copy of  
the within on

Joseph Willis and  
Stephen Lawson  
November the 5  
1869 and Andrew Lock  
hearty  
Wm M. Taylor

1869 Nov. Notice Proved  
Nov Paid for Pelf  
for \$843.93

61.73  
w 2.50  
\$ 2.50  
\$ 6.73

Serve this notice more than ten  
days before return day.  
1869



Received October 12<sup>th</sup> 1867. of James Worr. S.L.C. Tax tickets  
for the year 1867. amounting in the aggregate to the sum of  
(\$352.52) Three hundred and fifty two dollars and fifty two cents  
which I bind myself to collect and account for to the said Orr  
or return according to Law.

Wm. McPherson

Deputy

for James Worr. S.L.C.

1867									
Oct	To Amount of Tax tickets delivered to Wm. McPherson this sum							\$352	52
	By 3 $\frac{1}{4}$ per cent Commission on same.			"	"	13	21		
1868									
June	" Jury claims			"	"	58	25		
"	" Cash at Cooke store			"	"	1	88		
Mar 15 <sup>th</sup>	" Balance paid on Stohely Lausano Co claim			"	"	9	58		
	Balance due March 15 <sup>th</sup> 1868.					82	92	352	52
								269	60

269.60

80

349.60



William McPherson

To } Receipt for 4 tickets

James Worr for 1867



Received October the 1866 of James W Orr. S.L.C. Tax tickets  
for the year 1866. amounting in the aggregate to the sum of  
(\$956.05) nine hundred and fifty six dollars and five cents.  
which I bind myself to collect and account for to the said Orr.  
or return according to Law.

Wm McPherson

Deputy

For James W Orr. S.L.C.

1866	Amount of Tax tickets received by Wm McPherson this Sum	\$ 956	05
Oct.	By delinquent Tax tickets returned this Sum	\$ 101	79
	" Commission on \$854.26 remainder " "	48	00
	" Cash, jury claims & repts for Co claims " "	591	10
1867	July 1st " Cash. " "	20	00
Aug 1st	" Cash " "	11	50
		772	39
1869	Balance due March 15th 1867 " "		183 66
June 15th	Credit \$1000 by Andrew Lockhart	10	00
Oct 1st	" 50.00 " Same	50	00
" "	" 7.00 " Wm McPherson	7	00
" "	" 25.00 " Andrew Lockhart	20	00
		183.66	183 66
		28 15	80
		211.81	28 15
		349.60	269 60
		282 52	282 52
		843 90	843 93



William McPheerson

To } Receipt for Car tickets

James W Orr for the year 1866



List of Clerks Tickets delivered to Wm McKeen for Collection

Thomas Anderson	\$3 98	Amount Brought forward	68 07
Arion R Anderson	\$1 28	Arthur Rogers	\$ 4 50
A R Anderson Adm <sup>r</sup>	\$2 00	Andrew Roberts & G W Osbourne	\$ 6 33
Thos S Burk Adm <sup>r</sup>	\$2 40	Andrew Roberts	\$ 1 55
Arch Burk	\$ 25	Martha E Pattiff	\$ 2 00
Narrissa Bledsoe	\$2 25	George Rogers Est.	\$ 1 90
James Collins	\$3 08	James Patel	\$ 1 75
Ezra Countis	\$2 00	A D Surginer	\$ 4 47
Wm W A Denault	\$ 58	A R Surginer	\$ 1 28
S H Duff	\$ 60	Jeff Chandler	\$ 4 96
S H Duff Adm <sup>r</sup>	\$2 00	Wm W Sage	\$ 4 35
H S Duff	\$ 6 44	J W Duard	\$ 2 65
Samuel H Duff	\$ 1 00	Andrew J Daller	\$ 8 05
E J Denault	\$ 3 40	Isaac H Rahinett	\$ 3 58
G L Yarnor	\$1 08	Osbourne Stanley	\$ 1 35
G A M Ferguson	\$2 65	W C Rutherford	\$ 3 51
G W M Ferguson	\$2 25	Jas M Kyle	\$ 3 56
L H Gobble	\$2 00	Thos Lawson	\$ 3 83
A J Hickam	\$1 53	Mrsula Wilson & Sarah Allen	\$ 2 08
Thos J Larmer	\$ 25	James M Venable	\$ 3 42
Thos J Larmer Sr	\$1 34	James W Sage	\$ 1 00
Melaney J Lawson	\$ 3 83	Elisha Standifer	\$ 1 34
Russell J Lawson	\$2 25	J R Burk	\$ 2 25
Wm W Lenacy	\$ 1 85	John Wynns Adm <sup>r</sup>	\$ 2 35
James A Larmer	\$2 00	Andrew Lenacy	\$ 3 25
S S Maine	\$ 3 92	Silcena L Young	\$ 4 00
Robert Moore	\$ 2 50	E Young	\$ 1 00
George Osbourne	\$2 25	Calvin Young	\$ 2 80
John & Jesse Osbourne	\$2 25	Pendleton & Young	\$ 1 53
Janie H Preston	\$2 00	B Young & Son	\$ 3 98
Mary Roberts	\$ 70	A Lenacy	\$ 2 25
Jacob Rasnick	\$ 1 93	J W Sage	\$ 1 28
	\$68.07		\$163 85



Amount brought forward \$ 163 85-

Daniel Hewberry \$ 1 43

S D Haneff \$ 2 65-

John W Sward Committee \$ 1 36

John A Moor \$ 1 35-

Martha Sims \$ 2 45-

Joe D Sims \$ 2 45-

Joe D Sims \$ 2 25-

A J Livingston \$ 4 90

Joseph Willis \$ 9 45-

By Acc bills returned \$ 184 36

\$ 103 14

\$ 84 22

Received of James W Orr, S L Co. Clerks Tickets corresponding with  
the foregoing List, amounting in the aggregate to the sum of \$ 184.36  
which I am to collect and account for on  
return according to Law, August-15<sup>th</sup> 1864.

Wm McPherson J. S.

List of Clerks Tickets

Delivered to Wm McPherson  
— Son, 28



Received of James Worr S.L.C. a List of License Taxes amounting to (\$19.00) Nineteen dollars. which I bind myself to collect and account for or return according to Law. Also fee bills of the said James Worr amounting to \$10.50 Ten dollars and fifty cents. which I also bind myself to collect and account for or return as the Law directs. October 1866.

Wm. C. McPherson Deputy  
For James Worr S.L.C.

1866				
Oct	To Amount of License Taxes delivered to Wm. McPherson this sum.	\$	19	00
	By 3 per cent Commission on Same	\$	57	
	To Amt of Fee bills delivered to Wm. McPherson			10 50
	By 1/2 per cent Commission on Same		78	
	Balance due March 15th 1867.	1	35	29 50
				28 15



William M. Peterson

To { Receipt for License Tax<sup>rs</sup>

James W. Orr. in the year 1866



Received of James W. Orr, Sheriff of Lee County, the following  
 Tax Tickets for collection viz: -

	#	cts		#	cts
Anderson, Noah's Estate	10	59	Fannon, William	3	23
Anderson, Aaron R.	4	41	Greer, Henry Henry	3	42
Anderson, John	2	70	Golliver, Hugh	2	95
Anderson, Martin's Estate	18		Gibson, Shephard		64
Bledsoe, Winder	2	90	Gobble, Dickinson	4	52
Bledsoe, Arrisia	1	14	Goens, Isaiah	4	36
Bledsoe, Houston	2	61	Gobble, Emory A.	2	83
Bryant, William	3	44	Goens, John	2	76
Bledsoe, Austin	2	47	Hill, Charles M.	3	60
Bledsoe, Isaac	2	67	Herd, Lockey		23
Babb, Philip	5	17	Herd, Jesse	2	71
Belcher, Orville	2	47	Howe, William	2	16
Belcher, Elizabeth 40.88	13		Joinder Lewis A.	2	79
Brewer, Oliver	3	84	Joinder, Miles A.	2	67
Bledsoe Elias' Estate	36		Johnson, Ira	2	58
Bledsoe Joseph	1	08	Johnson, Nelson	2	71
Bledsoe, Sampson's Estate	85		Johnson, Alfred	2	72
Belcher, Simon	86		Johnson, James	2	57
Chandler, Lucinda	42		Johnson, Granville	2	53
Chandler, Jefferson's (Est)	72		Johnson, John St.	5	65
Chandler, Allen	3	53	Johnson, Leonard	2	78
Blankenship William	2	85	Johnson, William	2	76
Dickinson + Grantham	54		Johnson, Abraham	2	47
Dummond, James	35		Johnson, James	2	90
Delf, Preston	3	19	Johnson, Joseph	3	31
Eastridge, George W.	3	07	Lawsen Ira	4	79
Fisher, Silas	2	57	Lawsen Dine	5	46
Fannon, Martin	2	93	Leavy, Patrick	3	24
Fisher Henry	4	03	Livingston, James C.	1	75
Fisher, James	2	60	Lawsen Wymight	2	58
Fisher, Ira	2	61	Leavy, Andrew	1	55
	77	28		50	22



Levay, Esley	\$ 3 11	Osborne, Forelin	\$ 3 08
Livingston, Marion	3 26	Osborn Dr. Jesse	3 05
Lawsen, James	2 69	Osburn Jesse	3 03
Levay, William W.	2 90	Osborne, Catherine	73
Lawsen, Hudson	3 11	Osborne Solomon R.	3 29
Lawsen, Russell	2 40	Osburn, John	2 32
Lawsen, Marquion	3 39	Osborne Enoch S.	2 57
Livingston, Agt.	3 54	Osborn, Zachariah	2 72
Livingston, Denton H.	3 33	Osborn, John + Jesse F.	58
Lawsen, Stokely	3 18	Osborn John + James	58
Lawsen, Amos	3 02	Osborn, Jess George + Solomon	48
Levay, Sanders St.	3 21	Osburn, John	2 82
Maness, Francis A.	3 72	Osborne John	4 89
McPherson, Thomas	4 15	Osborn Enoch	3 61
Moore, Hiram	2 96	Patel Samuel	3 17
Moore, Robert	50.92	Patel Samuel	3 59
Martin, L. S. A. Wille	2 69	Ratliff, John W.	2 75
Maness, Sterling	6 04	Rose, Thomas S.	2 42
Moore, John A.	4 15	Robinet, Isaac St.	16 54
Maness, Howard	2 95	Roberts, George	2 57
Mahone, Sampson	3 23	Rowler, Amos	5 55
Moore, Hymight	2 47	Robinet, Lucinda	34
Manain, William	1 87	Roberts, Claiborne	2 60
Moore, Andrew	1 01	Rogers, Arthur	3 40
Mahann, Henry	89	Roberts, Jesse	14 00
Maness, Lofter	80	Roberts, Jesse	4 35
Neil, Absalom R.	35	Roberts, Daniel	3 33
Newberry, Daniel	4 99	Rogers, Jesse	36
Nichols, Josiah	40	Roberts, John	2 65
Oxford, Rutha	31	Roberts, Wallen	2 47
Osborn, James	2 96	Roberts, Jesse G.	36
Osborn, John A.	2 90	Roberts, Jesse	1 75
Osborn, George W.	3 13	Robinet, Jesse	14 54
Osburn, George	4 09		1 20 43
	96.15		

Robinet, Samuel	\$ 2 57
Robinet, Saml. + Jesse Osborn	22
Roberts, Susan	12
Sargnier, Stephen	5 53
Sargnier + A. R. Anderson	26
Stapleton, John A.	2 47
Stapleton, John M.	3 77
Stapleton, Lewis	3 54
Testament, William's Estate	2 16
Wallen, George's Estate	2 80
White, James' Heirs	11 56
Willis, Joseph	9 07
Wallen, Elizabeth	41
Wallen, Green	3 00
Wallen, Greenberry	2 34
Willis, James	10
Willis, William	1 52
Willis, David	72
Home, William (for 1865)	4 38
	55 98
(4)	1 20 43
(3)	2 6 15
(2)	1 00 22
(1)	77 28
	45 086
Wm. McPherson	1 28 00
	322 06

Am't of tickets to Mt. Pleasant	\$ 450 06
By delinquents returned	23 54
" 33 per cent Com'g (\$426.52)	16 00
" All credits	128 00
Balances due March 15th 1869	167 34
	282 52

Credit Decr 1868 by John M. C. \$ 70.00  
 " " " " A. R. Sargnier 26.00  
 " Feb " " A. R. Sargnier 40.00  
 " Jan 1869 " Self 20.00  
 " July 4th 1868 " Samuel Patent. 25.00  
 " July 23rd 1869 by Jurg claims 8.00  
 \$128.00



William McKeearson

To { Receipt for Tax tickets

James Worr for the year 1868



Virginia,

In the Circuit Court of Lee County.

-----  
Cox and Williams, Administrators, Plaintiffs.

Against ( In Chancery.

*Plffs' Brief.*

Joseph Willis, et al., Defendants.  
-----

-----Bill for Subrogation and to Enforce Judgement lien against Co-  
security.

-----The judgement and J. W. Orr's deposition proves the relation of  
the parties to each other in the judgement, which allegation is not de-  
nied by defendant Willis' answer.

-----J. W. Orr's deposition and the receipt and return of W. A. Baker,  
Deputy Sheriff, show that Lockhart, Plaintiffs' decedent paid the  
judgement, except the three credits of \$16.00 March 15th 1869; \$10.00  
June 15th 1869, and \$77.00 October 1st ~~1869~~ 1869, which it is proved  
and admitted were paid by the principal, William McPherson. The ~~xxxx~~  
residue was paid by Lockhart. It is also proved that Lawson on a com-  
promise paid Lockhart his one-third of said judgement, and that the de-  
fendant Willis paid nothing. Mr. Willis does not claim in his depo-  
sition or in his answer that he ever paid anything on said judgement.  
Then Lockhart's administrators are entitled to subrogation as to de-  
fendant Willis' due proportion of said judgement, which is shown by the  
evidence to be one-third of said judgement, after applying the three  
first credits endorsed on the fi fa exhibited with J. W. Orr's dep-  
osition amounting to \$103.00. The doctrine of the right of subroga-  
tion is well settled, and as we understand it, the party entitled to  
the right is to be placed in the shoes of the party to whose right he  
is substituted. Judge Carr said: " It ~~xxx~~ is the creature of equity  
and real essential justice in its object."

-----The Statute provides that the right to enforce a judgement lien  
shall be governed by the statute providing for the issueing of execu-  
tions, which period we understand in this case to be twenty years.

And our Court of Appeals, See Virginia Law Register, Vol. 2., #2, Page  
112, in James' Executors, etals against Life, says: " The right to file



a bill in equity to enforce a judgement lien is co-extensive as to time with the right to sue out an execution on such judgement." And again

" The mere efflux of timeshort of twenty years will not raise a presumption of payment of a debt not barred by the statute."

-----The statute of limitation relied on by the defendant<sup>an</sup> is not well taken. The balance of the judgement was satisfied by Lockhart August 26th ~~122x~~ 1875. See Deputy Sheriff's return ~~filed~~ on fi fa filed with J. W. Orr's deposition, which return bears that date, and see receipt on said fi fa. This suit was brought May 4th 1896, which is within the statutory period counting out one year after the qualification of Lockhart's administrators, which qualification was Sept.

2nd 1889, see exhibit " E " with bill. So the action is not barred

relying on the statute strictly, *Execution having issued in a year ~~the~~ ~~last one~~ ~~an~~ which is a return having been ~~made~~ ~~inside~~ of 10 yrs. Counting out*

-----But in this case a fraudulent conveying and covering up of the Defendant's property is alleged. Has it been proven? We think it has.

The deed of trust to Sergener was executed just nine days before the ~~judgement~~ judgement was rendered. Evidently after the notice had been served on the defendant, as ten days notice was then necessary. The evidence of Thos. McPherson and France Miles show that this deed of trust was fraudulently executed for the purpose of avoiding the payment of this just debt. McPherson says he and Willis went to Sergener to see about the deed of trust and that Surgener said that Mr. Willis had paid the deed of trust, but it would not do for him to lift it, if he did Mr Lockhart would move against him, and Willis then and there acquiesced in the open confession of fraudulent intention and purpose to beat the collection of this judgement, and the deed of trust was not lifted nor shown to be null and void in any manner or satisfied and was left upon record to still defeat this claim as it had evidently been intended to do in its inception. France Miles' deposition on this point states that he when Sergener told him Willis did not owe him anything asked him what he was doing with the deed of trust and he replied " O, that ~~is~~ is for a purpose," and we say, yes, for a ~~xi~~ purpose, and evidently for the purpose ~~of~~ originally intended--defeating this judgement.

Can there be any limitation in a case like this? The books say no. And the Court of Appeals says no. And they have recently said there

*one year after qualification of administrator, after Lockhart satisfied the debt. See 83 N. H. 33.*



can be no laches in such cases, that will defeat the collection of a just debt unpaid. See the Va. Law Register, May Number 1897, Page 54, Vol. 2., # 2., Page 112.

-----The insolvency of McPherson and Parsons is not denied. The Defendant in his answer alleges that McPherson turned over to Lockhart collaterals, but ~~there is~~ no evidence in support of this allegation is offered. If it had been true it would have been proved.

-----The defendant's labored effort to show that he had real and personal property, if it could avail him anything, is a failure. The ~~xxx~~ record evidence is strongly against him. There are too many deeds of trust, and executions returned no property found--but if he had property why did he not pay? He gives no reasonable excuse for not paying. He says he was not called on by the officer, but that is too transparent--then his deposition is excepted to, as incompetent, which exception is insisted upon, but we want to call attention to the fact that he does not mention the collaterals..

-----The Plaintiffs were not parties to the suit of Joseph Willis against James W. Orr, adm'r, etc., in which the Sergener deed of trust was declared void, and it is proved that there is nothing on the record showing the satisfaction or annulment of the said deed of trust; nor is there any evidence by defendant, or otherwise, that the Plaintiffs <sup>had</sup> ~~and~~ actual notice of said decree. No laches can be charged to them in regard to this matter, then they as fiduciaries are not to be held to the same strictness that their decedent might have been, should he have lived until the institution of this suit. We earnestly submit and insist that the Plaintiffs are entitled to a decree for one third of the amount of the said judgement, as of August 26th ~~xx~~ 1875, the time that Lockhart paid it off, being for the sum of \$386.83 with interest thereon from August 26th 1875, 'till paid. ( Said three first payments <sup>being credited</sup> made by McPherson leaves as we calculate it, the said balance of \$386.83, as the amount of Lockhart's payments on said judgement, with interest <sup>for Willis</sup> calculated to the said 26th day of August 1875, for Willis.)

Very Respectfully.

*Wm. Blair Kinship & Atty*  
*Wm. A. Orr Jr.*

May 13, 1897 (Over)



Since writing the foregoing Brief, There has been some additional evidence taken in regard to the collaterals alleged to have been turned over by McPherson to Lockhart. We think the evidence shows that the few tax tickets and perhaps a small debt on Lambert were fully accounted for by Lockhart in the payments made by him and credited in the judgment for the benefit of all the defendants. In J. W. Orr's Depositions & exhibits therewith.

As to the Surgeon Order the evidence fails to show that any such order was ever collected and leaves it doubtful as to whether or not any such order was ever given. And exhibit O5 with J. W. Orr's last deposition shows that Andrew Lockhart paid to A. R. Surgeon \$70<sup>00</sup> dollars borrowed money May 5th, 1870. Why would he have done this if Surgeon owed him an order of \$300<sup>00</sup> that had been accepted?

J. W. Blankenship } Atty  
Wm A. Orr Sr }

Looy and Williams, Admin

vs

Joseph Willis et al

In Reply

Plaintiff's Brief

5/12/97



Joseph Willis -  
ads.

Carr & Williams -

This is a bill to enforce a judgement obtained by J. W. Orr v. The defendant, Carr & Williams - About 27 years ago - And on which no execution has issued for more than 20 years. There is not shown any execution that ever was issued or presented to Willis - The demand is a state one, too much so to be enforced - even if not positively barred - The right to enforce the judgement having accrued in Lockhart's lifetime the statute does not cease to run, at his death, but merges on. See Code 1887, secs 3573, 3577 90 Va 336, and as to state demands, Laches 92 Va 215-192, 193 - 91 Va 430

But aside from this the proof abundantly shows that Lockhart received from Wm McPherson the principal sum & sufficient debts claims tickets & accounts to fully pay the judgement of Orr. And there is no proof that he ever returned them or did not collect them - See John McPherson deff also to Willis - & Thomas McPherson & John M. Tate. If this is not satisfactory an account should be decided. Respectfully.

(over)

Prudence Russell



There is no fraud of which  
the plff can complain - Because  
it is fully proven that Willis  
had plenty of land to pay this  
judgement standing in his  
own name all the time.  
Beside, the personal property  
liable to levy - all this proves  
that Lockhart was satisfied &  
never made any effort to  
collect. P. S.

Joseph Willis

Adm Defts

Wm. J. Briggs

Leard Williams

attorce



\$25.00 Recd. of Andrew Lockhart twenty five dol-  
lars to be credited on an execution against said Lock-  
hart in favor of J. W. Orr, <sup>et al</sup> in my hands for collection.

June 21, 1875.

Wm Am Baker  
do per C. S. H.



W. A. M. Baker

To { Recpt.  
\$25.00

Andrew Lockhart

Receipt

Filed Oct 5<sup>th</sup>  
1896.

H. C. Fosberg J. R.



# The Commonwealth of Virginia,

To the Sheriff of Lee County---Greeting:

WE COMMAND YOU, that of the goods and chattels of *Stokely Linsion, James M Parsons, Joseph Willis & Andrew Lockhart*

late of your bailiwick, you cause to be made \$ 843. 93 with legal interest <sup>\$211.81</sup> ~~thereon~~, from the 15th day of March 1867, till paid, which & on \$349.60 from the 15th day of March 1868, and on \$282.52 the residue from the 15th day of March 1869, till paid, which James W Orr

lately in our County Court for Lee county, has recovered against them <sup>portion</sup> by suit for money collected by *Mr McPherson* late deputy Sheriff of Lee County, & not paid over also \$ 7.63 Which to the said Orr

in our said Court were adjudged for his costs in that behalf expended, whereof the said *Linsion, Parsons, Willis & Lockhart* are convicted, as appears to us of record. And that you have the same before the Judge of our said Court, at the Courthouse, on the first Monday in *February* next, to render to the said Orr.

of the *Felty* and costs aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 5th day of *December* 1874, in the 99th year of the Commonwealth.

*6 4.63*  
*a 2.50*  
*3 2.50*  
*\$ 9.63*

*James W Orr* Clerk.



Received of Wm. A. McFarber & S. S. \$41.50  
 which was paid to Charles J. Harris, it  
 being the amount in full of said  
 Execution. This David Miller.  
 Aug. 26<sup>th</sup> 1895-

10-52 (1915) Lm  
 James W Orr  
 vs. Hi Ha

Shohely Larison et als  
 to security to be taken

February Rules 1876.

The balance collected  
 in full of said amount  
 to \$41.37 & 1/2 Pence  
 and all cost which  
 was paid to H. J. Harris  
 by the Exec. of said  
 Sheriff August 26<sup>th</sup>  
 1895 -

W. A. McFarber  
 or pay to J. Harris

Execution

Filed Oct 5<sup>th</sup> 1896.  
 H. L. Joslyn J. P.

1869.	June 15th	Cr	\$10.00
"	Decr 15th	"	16.00
"	Oct 1st	"	71.00
"	Nov 15th	"	120.00
"	Decr 9th	"	203.75
"	" 19th	"	100.00
1870	Jan'y 25th	"	45.00
"	Apr 21st	"	50.00
"	Apr 21st	"	50.00
1871.	Feb 21st	"	50.00
"	" 21st	"	52.50
1873	Jan'y 11th	"	839.25
			by S. S. B. Bank.



Levy & Williams v. Adams

vs } Transcript from  
Land book

Joseph Willis et al

"Richmond."

Filed with deposition  
of S. V. F. Richmond Clerk  
Oct. 9<sup>th</sup> 1896.  
H. C. Foslyn J. P.

clerk's fee .25



Table of Tracts of Land for the year 1869  
In Lee County within the District of Nathaniel S. Bailey Commissioner of the Revenue.

Name of Person who by himself or by his tenant has the freehold in the possession of the land charged.	Residence of the owner of the tract of land.	Nature of the owner's estate whether held in fee or for life.	Number of acres in each tract.	Name of the tract and description of the land, as to water courses mountains or other places on or near which it lies.	Distance and bearing from the court house per acre, including buildings.
Willis Joseph	Lee	In fee	6 2	Black water	Beginning from SE 9 miles
Same	"	" "	3 2 5	South Side Newmans Ridge	" " "
Same	"	" "	not known		" " "
Same	"	" "	257	" " " "	" " "
		For 1880.			
Same	Lee	In fee	162	Black water	" " "
Same	"	" "	46	2 Fr "	" " "
Same	"	" "	50	" "	" " "
		For 1891			
Same	"	"	162	Black water	" " "
Same	"	"	46	"	" " "
Same	"	"	50	"	" " "
Same	"	"	14 3/4	"	" " "
Same	"	"	58 3/4	"	" " "



with tax thereon at thirty cents on every Hundred Dollars Value charged

Total value of land  
per acre, including  
buildings.

\$25  
\$3.

\$1.00

2.00

3.00

2.00

3.00

3.00

3.00

3.00

3.00

Abstract

Copy List: J. W. Richmond Clerk  
Lee County Court.



Virginia.

A circuit Court continued and held for  
Lee County, at the Court house thereof on  
November the 27<sup>th</sup> day of November 1886.

Joseph Willis

Plaintiff

against

James W Orr Administrator of the estate of A. R. Surgenor deceased

Defendant

In Chancery.

This cause came on this day to be heard  
upon the bill of the plff, the answer of  
the defendant, and replication thereto, the  
depositions of witnesses, and being argued  
by Counsel. The court is of opinion  
and doth so adjudge, order and decree  
that the injunction heretofore granted in  
this cause on the 23<sup>rd</sup> day of March 1886,  
be and the same is hereby perpetuated, and  
the said Joseph Willis forever released from  
the payment of the deed of trust in the  
bill and proceedings mentioned or any  
part thereof. And that the plff recover  
from the defendant James W Orr adminis-  
trator of the estate of A. R. Surgenor deceased  
the costs of this suit to be paid out of any  
assets in his hands unadministered. And no  
further action being necessary the Cause is  
stricken from the docket.

Attest.

Teste - A. B. Murree Clerk  
by S. J. Richmond D.C.



Jos. Willis  
vs J. Orr  
J. W. Orr, Admin & C

"Deeds"

Filed with Deeds of  
J. W. Orr in Chy  
out of  
Levy & Williams  
vs J. Orr  
Jos. Willis et al

Filed Oct 5 - 1896  
H. C. Joslyn J. P.



Levy & Williams, Adms

vs } In Chy

Joseph Willis et al

Exhibits filed with  
Depositions of plff  
This Oct 9<sup>th</sup> 1896.

H. C. Forslyn J. D.

---

Filed October the 10<sup>th</sup> 1896  
A. B. Munsey Clk

Exhibits with James  
H. Orr & S. V. L.  
Richmonds Defd.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon

*Joseph Willist & J. M. Glass*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the *3d* Monday in *May*, 189*6*, to answer a

bill in Chancery, exhibited against *them* in our said court by

*N. S. Cox & A. C. Williams administrators of the  
estate of A. J. Lockhart deceased*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-  
house, the *4th* day of *May*, 189*6*, and in the  
12*0th* year of the Commonwealth.

*A. B. Munsey* Clerk.



*adms*  
Al Williams et al

SUPREMA.

vs. }

IN CHANCERY.

Joseph Willis et al

Or Blankenship p. q.

To 2nd May Rules.

CIRCUIT COURT.

Executed by delivering  
a true copy of the  
within to Joseph  
Willis and J. W.  
Glass

This May 18, 1896  
Eron Bledsoe  
for W. Pemberton



The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you to summon *Thomas M. Hurron and*  
*France Miles*

*at the Law Office of Orr M. Blankenship (of Lee County)*  
to appear before the Judge of our Circuit Court of Lee County, at the court-house thereof on the

*5th* day of *Oct* 189*6*, to testify and the truth to say in behalf of the  
*N. S. Leoy & A. B. Williams, Admins &c*

in a certain matter of controversy in *the circuit* ~~our~~ said Court,  
before the ~~said~~ *thurs* Judge depending and undetermined between

*N. S. Leoy & A. B. Williams, Admins* Plaintiff *S*

and

*Joseph Willis & J. W. Glass* Defendant *S?*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-  
house, the *12th* day of *Sept* 189*6*, and in the  
12/*th* year of the Commonwealth.

*A. B. Munsey* Clerk.



Looy Williams, Admrs

\_\_\_\_\_ { SUBPCENA  
FOR  
WITNESS.

Joseph Lovitt's et al

Circuit Court, the \_\_\_\_\_

5 day of Oct-

1896.

Executed by Sumner

Has McPherson

& Grace Miles

this September

21<sup>st</sup> 1896

Eron Bledsoe

By

for W P Mester  
SSC